

REPORT TO COUNCIL



Date: November 3, 2015
RIM No. 0940-00
To: City Manager
From: Community Planning Department (LK)
Application: DP15-0153 & DVP15-0159 Owner: Donald Gordon
Address: 723 Stockwell Ave Applicant: Donald Gordon
Subject: Development Permit and Development Variance Permit Applications
Existing OCP Designation: MRM - Multiple Unit Residential (Medium Density)
Existing Zone: RU6 - Two Dwelling Housing

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP15-0153 for Lot C District Lot 138 ODYD Plan 35325, located at 723 Stockwell 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 "B,"
2. The exterior design and finish of the building to be constructed on the land, be in accordance with Schedule "C";

THAT Council authorizes the issuance of Development Variance Permit No. DVP15-0159 for Lot C District Lot 138 ODYD Plan 35325, located at 723 Stockwell Ave, Kelowna, BC;

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

Section 9.5b.14: Carriage House Regulations

To vary the required minimum side yard from 2.0 m permitted to 1.23 m proposed.

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 a variance, for the conversion of an existing Accessory Building to a Carriage house on the subject parcel.

3.0 Community Planning

Community Planning Staff supports the side yard setback variance to allow the conversion of an existing accessory building to a Carriage House. The form and character of the Carriage House fits within the local context and the building meets all other zoning regulations.

The subject parcel is within the Permanent Growth Boundary and has a Future Land Use designation of MRM - Multiple Unit Residential (Medium Density). The Official Community Plan (OCP) supports the densification of neighbourhoods through appropriate infill development and utilization of existing infrastructure.

In fulfillment of Council Policy No. 367 regarding public consultation, the applicant undertook neighbor consultation by contacting each in person and providing proposal application packages.

4.0 Proposal

4.1 Background

In 2014, the home owner applied for Building Permit #48308 to allow for an addition of a single car garage, workshop and a loft to an existing single car garage, which was constructed with a building permit in 1986. Since that time, the addition was converted to a Carriage House without City approval. Due to Bylaw enforcement, the home owner has decommissioned the suite within the existing dwelling and is also pursuing the proper approvals to ensure the Carriage House conforms to the City of Kelowna's zoning and building code requirements. Though Staff does not encourage development that follows this route, the parcel can easily accommodate the conversion to a Carriage House with one minor variance required.

4.2 Project Description

The subject parcel is located within the Permanent Growth Boundary on the south side of Stockwell Avenue, east of Richter Street. The proposed Carriage House is located at the rear of the parcel with private outdoor space provided between the carriage house and the primary dwelling. Two of the required parking stalls are provided on the paved area adjacent to the rear lane. To fulfil the Zoning Bylaw requirements, the original single car garage will remain on the west side of the building.

As part of the redevelopment of the parcel, the existing front driveway and canopy will be removed. A sidewalk and patio area will be added, the remaining area will be landscaped. This ensures parking is accessed from the lane and will provide improved street appeal.

The exterior finishes of the Carriage House matches the existing primary dwelling; therefore, the exterior facade will remain unchanged with only one modification required. The oversize garage door will be removed and replaced with a nano-door system.

When the original single car garage was constructed in 1986, the side setback provided met the Zoning Bylaw requirement of 1.2 m to the side property line. The requested variance is to allow the required side yard setback of a Carriage House to be reduced from 2.0 m required to 1.23 m existing to the west side property line. The variance will be along the setback to the existing garage. The Carriage House suite area is situated well away from the side property line. For this reason, Community Planning Staff supports this variance request.

4.3 Site Context

The subject property is located on the south side of Stockwell Avenue in the Central City area of Kelowna.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RM5 - Medium Density Multiple Housing	Vacant
East	RU6 - Two Dwelling Housing	Single Detached Housing
South	RM5 - Medium Density Multiple Housing	Single Detached Housing
West	RU6 - Two Dwelling Housing P4 - Utilities	Duplex Dwelling Telephone Utility Building

Subject Property Map: 723 Stockwell Avenue



Subject Property Carriage House Elevation: 723 Stockwell Avenue



Side Setback Variance from 2.0 m required to 1.23 m provided

4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	400 m ²	504 m ²
Minimum Lot Width	13.0 m	13.1 m
Minimum Lot Depth	30 m	38.5 m
Development Regulations		
Site Coverage	40%	31.8%
Site Coverage: accessory buildings or structures and carriage house	14%	14%
Maximum Accessory Building Footprint	90 m ²	70.8 m ²
Maximum Net Floor Area	90 m ²	83.7 m ²
Maximum Net Floor Area to Principal Building	75%	42.92%
Maximum Upper Storey Floor Area to Building Footprint	75%	33.9%
Height (mid point of roof)	4.8 m	4.5 m
Setback from Principal Dwelling	3.0 m	5.4 m
Carriage House Regulations		
Max. Height	4.8 m	4.50 m
Min. Side Yard (east)	2.0 m	2.05 m
Min. Side Yard (west)	2.0 m	1.23 m ●
Min. Rear Yard	1.5 m	2.27 m
Height (carriage house shall not be higher than existing primary dwelling)	6.83 m to roof peak 6.0 m to mid-point	5.56 m to roof peak 4.50 m to mid-point
Other Regulations		
Min. Parking Requirements	3 stalls	3 stalls provided
Min. Private Open Space	30 m ²	+30 m ²
● Indicates a requested variance to the side yard setback.		

5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Development Process

Compact Urban Form.¹ 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.

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

Sensitive Infill² 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.

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
General Considerations			
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?	✓		
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?			✓
Two Dwelling Housing and Carriage Houses			
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?			✓

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

INTENSIVE RESIDENTIAL - CARRIAGE HOUSE / TWO DWELLING HOUSING	YES	NO	N/A
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?	✓		

6.0 Technical Comments

Building & Permitting Department

- 1) Architect may be required to determine the upgrade requirements to meet current code for this change of use.
- 2) Plumbing and Heating Permits will be required along with the Building permit for change of use.
- 3) Requirements of the current code apply so retrofit of the existing structure may be required at time of Building permit.

Development Engineering Department

See attached Memorandum dated July 10, 2015.

7.0 Application Chronology

Date of Application Received: June 25, 2015
 Date Public Consultation Completed: August 10, 2015

Report prepared by:

 Lydia Korolchuk, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

- Site Context Map
- Schedule A - Development Engineering Memorandum
- Schedule B - Site Plan
- Schedule C - Conceptual Elevations
- Draft Development Permit & Development Variance Permit - DP15-0152 & DVP15-0159