

REPORT TO COUNCIL



Date: December 15, 2015

RIM No. 0940-00

To: City Manager

From: Community Planning, Community Planning & Real Estate (LK)

Application: DP15-0237 & DVP15-0238 Owner: Jason & Shaine Fehr

Address: 534 Oxford Avenue Applicant: Jason & Shaine Fehr

Subject: Development Permit & Development Variance Permit

Existing OCP Designation: S2RES - Single / Two Unit Residential

Existing Zone: RU6 - Two Dwelling Residential

1.0 Recommendation

THAT Council authorizes the issuance of Development Permit No. DP15-0237 for Lot 3 Block 14 District Lot 9 ODYD Plan 3915 located at 534 Oxford Avenue, 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. DVP15-0238 for Lot 3 Block 14 District Lot 9 ODYD Plan 3915 located at 534 Oxford Avenue, Kelowna, BC;

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

Section 13.6.6(a): RU6 - Two Dwelling Housing Development Regulations

To vary the net floor area of a carriage house to exceed the net floor area of the principal dwelling from 75% maximum to 81.36% proposed.

AND THAT Council's consideration of this Development Permit be considered subsequent to the outstanding conditions of approval as set out in Attachment "A" attached to the Report from the Community Planning Department dated December 15, 2015;

AND THAT the applicant be required to complete the above noted conditions of Council's approval of the Development Permit Application in order for the permit to be issued;

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 net floor area variance, for a proposed Carriage House on the subject property.

3.0 Community Planning

Community Planning Staff supports the development permit and net floor area variance to allow for the construction of a new Carriage House. The form and character of the Carriage House fits within the local context of the neighbourhood and is consistent with the design guidelines in the OCP. One variance is required for the net floor area of the Carriage House, the proposal will meet all other Zoning Regulations.

The parcel is located within the northend neighbourhood and the Permanent Growth Boundary. The proposed Carriage House use is consistent with the Official Community Plan (OCP) Future Land Use Map and consistent with the city policy for Compact Urban Form and Sensitive Infill which supports 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 1 ½ storey single detached dwelling was constructed in 1946. The detached garage, which is accessed from the rear lane, was added in 1950. This building will be demolished and replaced with the proposed Carriage House. The existing dwelling has a much smaller footprint than the current housing standard. The requested variance is to allow the carriage house to have an area that is larger than 75% of the area of the existing house.

The variance would allow the Carriage House area to be increased from 75% to 81.36% of the net floor area of the existing dwelling. This results in the Carriage House being 6.55m² over the maximum area, at 83.20m². The result is less than the 90m² maximum area allowed for a Carriage House. The actual site coverage is 31.19% and is well below the 40% maximum allowed. The required on site parking, private open space and all building setbacks have been met. The variance to increase the lot coverage of the Carriage House does not adversely affect the subject parcel or the adjacent ones.

The Carriage House suite entrance is accessed from the lane. This design meets the OCP Chapter 14 Guideline 1.4 which encourages entrances to be directly accessed and visible from the lane. The required three parking stalls are all accessed from the rear lane.

In fulfillment of Council Policy No. 367 regarding public consultation, the applicant undertook neighbour consultation by providing proposal application packages to each of the adjacent parcels within 50 m of the subject parcel.

4.2 Site Context

The subject parcel is located within the Knox Mountain Neighbourhood within the Central City Sector of Kelowna, on Oxford Avenue between Ellis Street and Kingsway Street.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6- Two Dwelling Housing	Single Family Dwelling Two Family Dwelling
East	RU6- Two Dwelling Housing	Single Family Dwelling

South	RU6- Two Dwelling Housing	Single Family Dwelling
West	RU6- Two Dwelling Housing	Single Family Dwelling

Subject Property Map: 534 Oxford Avenue



4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU6 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Minimum Lot Area	400 m ²	594.21 m ²
Minimum Lot Width	13.0 m	16.25 m
Minimum Lot Depth	30 m	36.58 m
Development Regulations		
Maximum Site Coverage (buildings)	40%	31.19%
Maximum Site Coverage (buildings, driveways and parking)	50%	38.60%
Development Regulations (Carriage House)		
Maximum Height	4.8 m	3.73 m
Maximum Height To principal dwelling	(to peak) 6.70 m (to mid) 4.75 m	4.98 m 3.66 m
Minimum Side Yard (east)	2.0 m	2.20 m
Minimum Side Yard (west)	2.0 m	3.13 m
Minimum Rear Yard	1.5 m	6.95 m
Max. Carriage House Lot Coverage	14%	14%

Max. Accessory Building Footprint	90 m ²	83.20 m ²
Max. Carriage House Net Floor Area of Principal Building	75%	81.36%●
Other Regulations		
Minimum Parking Requirements	3 stalls	3 stalls
Minimum Private Open Space	30 m ² per dwelling	75.63 m ²
Min. Distance to Principal Building	3.0 m	3.49 m
● Indicates a requested variance to allow the Carriage House to be more than 75% of the NFA of the primary dwelling.		

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.

Sensitive Infill.² 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.

5.2 Technical Comments

5.3 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.

5.4 Development Engineering Department

- See Attachment 'A'

5.5 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. Any gate is to open with out special knowledge.
- Additional visible address is required from Oxford Ave.
- Emergency access is from Oxford Ave and not from the lane to the north.

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

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

6.0 Application Chronology

Date of Application Received: September 30, 2015
Date Public Consultation Completed: September 18, 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

Attachment 'A' - Development Engineering Memorandum dated October 28, 2015

Schedule 'A' - Site Plan

Schedule 'B' - Conceptual Elevations

Draft Development Permit DP15-0237 & Development Variance Permit DVP15-0238