

Memo



Date: July 29, 2011
To: City Manager
From: Land Use Management, Community Sustainability (LT)
Application: DVP11-0109 **Owner/Applicant:** John Braley
Address: 765 Coronation Avenue
Subject: Development Variance Permit Application
Existing OCP Designation: Single/Two-Unit Residential
Existing Zone: RU6 - Two Dwelling Housing

1.0 Recommendation

THAT Council NOT authorize the issuance of Development Variance Permit No. DVP11-0109 for Lot 45, District Lot 138, ODYD, Plan 1039, located at 765 Coronation Ave, Kelowna BC;

2.0 Purpose

This application seeks a Development Variance Permit to vary the maximum height of a proposed secondary suite in an accessory building.

3.0 Land Use Management

The height regulations within the Zoning Bylaw aim to support Official Community Plan design objectives for residential areas, including the preservation and enhancement of the scale and character of individual neighbourhoods and streetscapes, as well as to ensure compatibility with existing dwellings and surrounding properties. Limiting the height of an accessory building to the height of the existing principal residence acts to achieve general conformity with the surrounding neighbourhood context. These goals are important to uphold, particularly in Character Neighbourhoods identified in OCP 2030. Given the small lot size of the subject property, and its existing non-conforming lot width (12.2m), the potential impacts of the additional height requested would be magnified.

Given the above, and that there no perceived hardship to justify the proposed variance for the subject property, the Land Use Management Department recommends that the variance not be supported. As an alternative, the applicant could pursue an accessory building design that conforms to the height requirements of the Zoning Bylaw.

It should be noted that the applicant has received support from surrounding neighbours in pursuit of the variance request. In addition, the rear yard setback proposed (6.1m) is generous compared to what is required (1.5m), which may help to limit the visual impact of the height variance on neighbouring properties.

4.0 Proposal

4.1 Project Description

The applicant proposes to build a secondary suite within an accessory building in the rear yard of the subject property. The 6.5m height of the proposed secondary suite is 2.0m greater than the maximum allowed within the Zoning Bylaw. The RU6 zone allows a maximum height of 4.5m for accessory buildings. In addition, accessory buildings may not be taller than the height of the existing principal dwelling on the property, which is 4.42m.

The additional building height would accommodate the double garages and allow for greater living space capacity in the upper floor.

Should the variance be approved by Council, the applicant would be required to obtain an Urban Design Development Permit for the accessory suite, which would be reviewed at a staff level.

The proposal conforms to Zoning Bylaw No. 8000 (with variances noted) as follows:

Criteria	Required / Maximum	Proposed
Subdivision Regulations		
Lot Size	400 m ²	518 m ²
Lot Width	13.0 m	12.2 m ^①
Lot Depth	30.0 m	42.4 m
Development Regulations		
<i>Height (accessory buildings)</i>	<i>Lesser of 4.5 m or height of principal dwelling</i>	6.5 m ^②
Height (Principal buildings)	9.5 m	4.42 m
Front yard	6.0 m	6.75m (existing)
Side yard (west)	2.3 m	2.3 m
Side yard (east)	2.3 m	2.3 m
Rear yard (lane)	1.5 m	6.1 m
Separation between units	4.5 m	4.5 m
Suite floor area	Lesser of 90 m ² or 75% of the total floor area of the principal dwelling	72.5m ² / ~35 %
Site Coverage	40%	~31%
Site Coverage (with driveways & parking)	50%	~45%
Accessory Building Footprint	Lesser of 90m ² or 14% of site area	72.5m / 14%
Private open space	30 m ² per unit	To meet requirements
Vehicular Parking	3 stalls	Exceeds requirements
<p>① Existing non-conforming lot width. ② Variance requested for maximum accessory building height from 4.42m allowed to 6.5m proposed.</p>		

4.2 Site Context

The subject property is located in the Central City area, east of Richter Street. Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU6 - Two Dwelling Housing	Single Family Residential
East	RU6 - Two Dwelling Housing	Single Family Residential
South	RU6 - Two Dwelling Housing	Single Family Residential with Suite in Accessory Building
West	RU6 - Two Dwelling Housing	Single Family Residential

Subject Property Map: 765 Coronation Avenue



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP) 2030

Design Guideline Objectives for Intensive Residential -Secondary Suite Two Dwelling Housing¹

- Preserve and enhance the scale and character of individual neighbourhoods and streetscapes.
- Ensure compatibility with existing dwellings on a lot of with surrounding properties.
- Promote a high standard of design, construction, and landscaping.
- Encourage building and landscape designs that promote privacy, safety, and accessibility.
- Contribute to the creation of pedestrian orientated streets.
- Design for liveability.

¹ Chapter 14 - Urban Design DP Guidelines - Page 14.21

6.0 Technical Comments

The application was circulated to pertinent departments and agencies. No concerns were brought forward regarding the proposed variance. Should the variance be approved, the Development Permit process would include Building and Fire Code consideration, as well as Development Engineering requirements.

7.0 Alternative Recommendation

THAT Council authorize the issuance of Development Variance Permit No. DVP11-0109 for Lot 45, District Lot 138, ODYD, Plan 1039, located at 765 Coronation Ave, Kelowna BC;

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

Section 9.5.1(e): To vary the maximum height of an accessory building from the lesser of 4.5m or the height of the existing principal dwelling unit (4.42m) on the same property to 6.5m proposed.

Section 13.6.6(b) - RU6 Development Regulations: To vary the maximum height of an accessory building from 4.5m to 6.5m proposed.

AND THAT Development Variance Permit issuance be subject to staff consideration of a Development Permit for the form & character of the proposed accessory building.

8.0 Application Chronology

Date Application Received: June 21, 2011

Report prepared by:



Luke Turri, Land Use Planner

Reviewed by:



Shelley Gambacort, Director, Land Use Management

Approved for inclusion:



Jim Paterson, GM, Community Sustainability

Attachments:

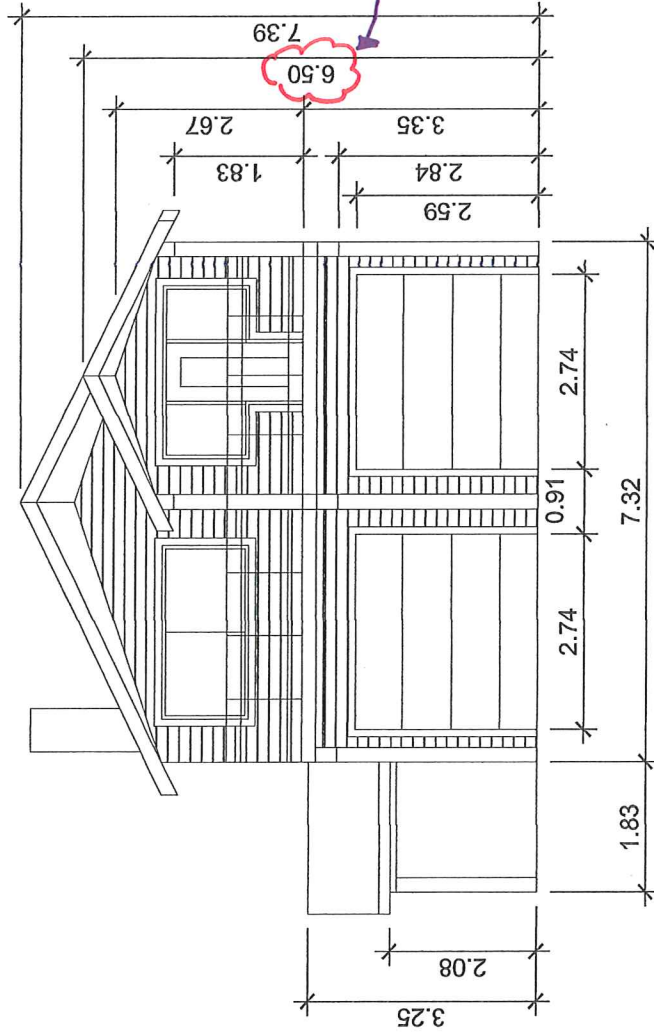
Subject Property Map

Site Plan

Floor Plan

Building Elevations

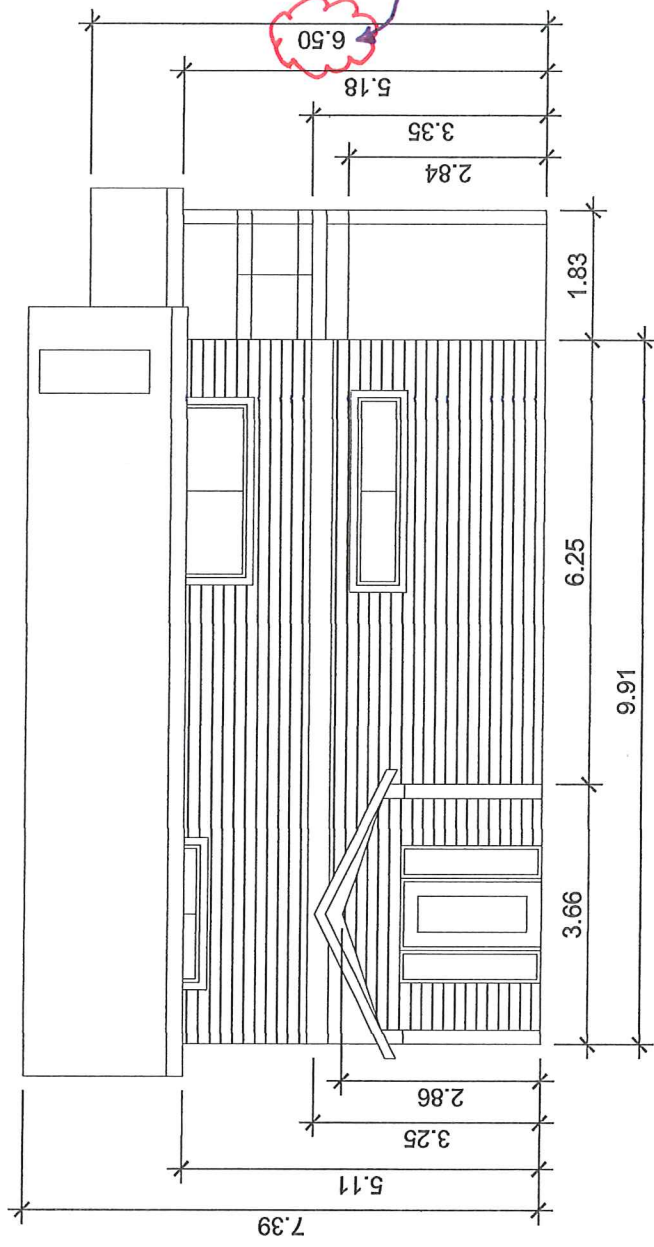
Draft Development Variance Permit (DVP11-0109)



VARIANCE TO ALLOW HEIGHT
 OF ACCESSORY BUILDING TO
 6.5M PROPOSED
 2.0M VARIANCE (4.5M IS
 Bylaw height requirement.)

SCHEDULE "B" (1 of 2)
 This forms part of development
 Permit # DVP11-0109

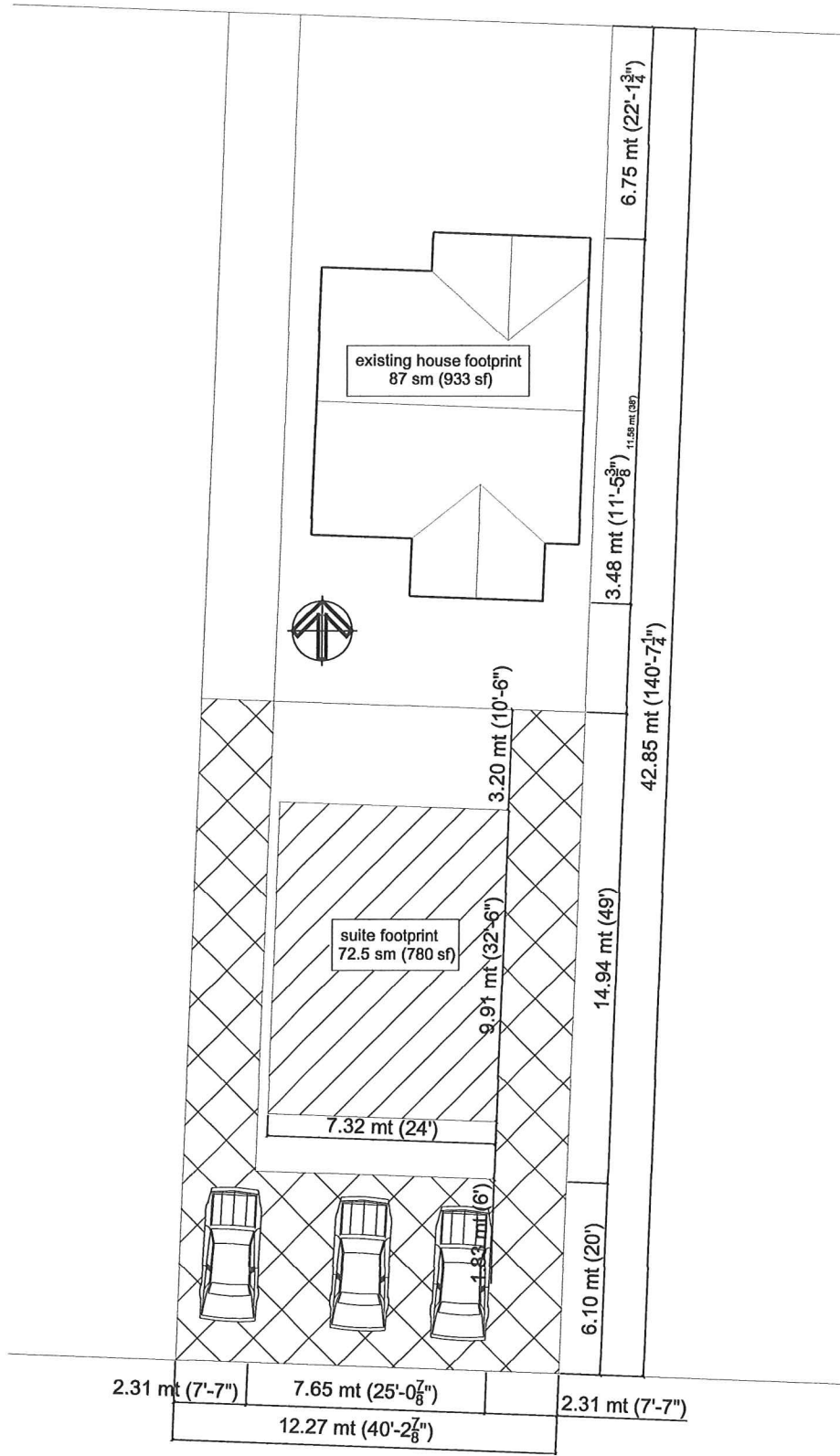
SOUTH ELEVATION



WEST ELEVATION

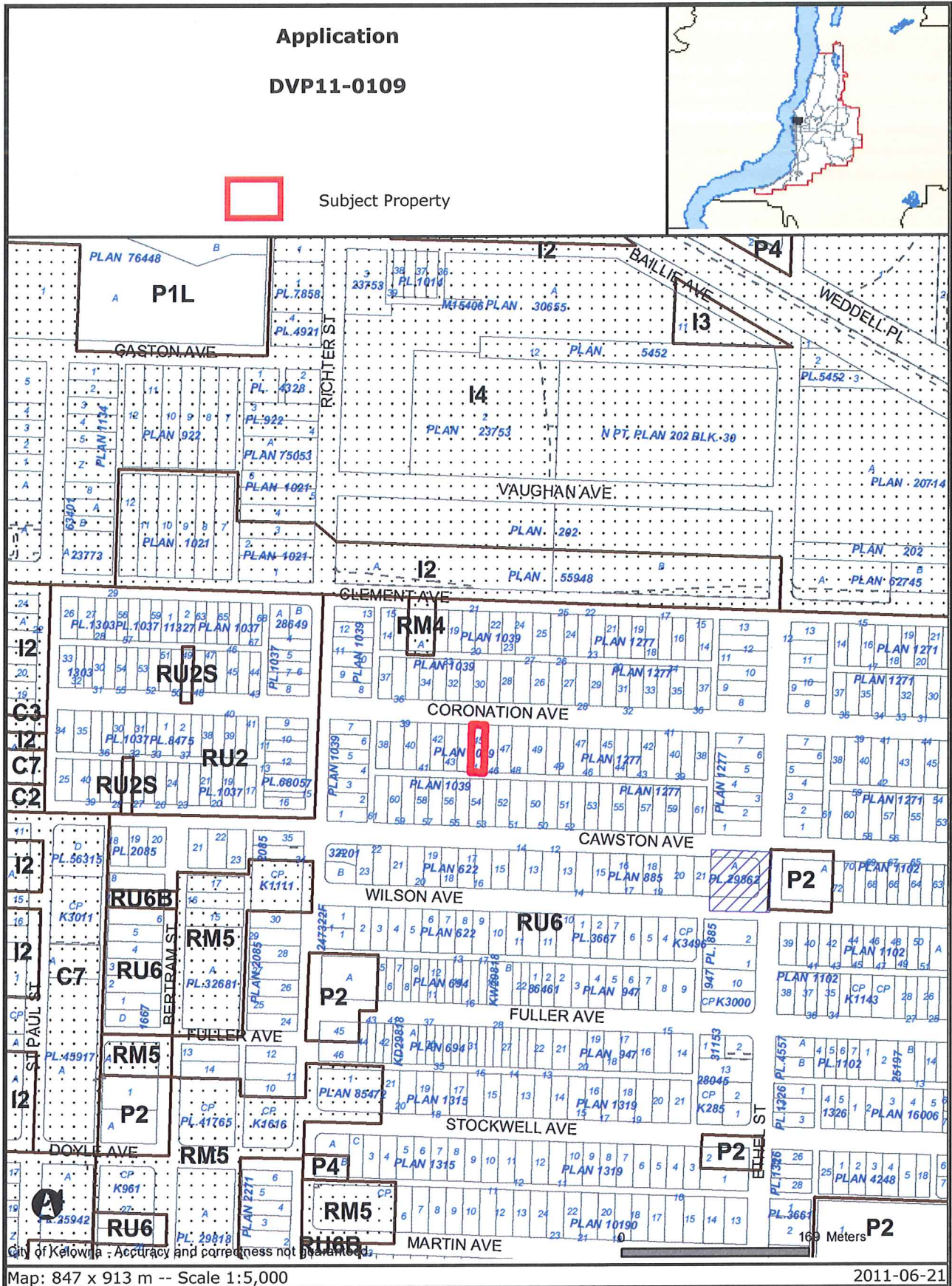
SCHEDULE "B" (2 & 2)
 This forms part of development
 Permit # DVP11-0109

CORONATION AVENUE

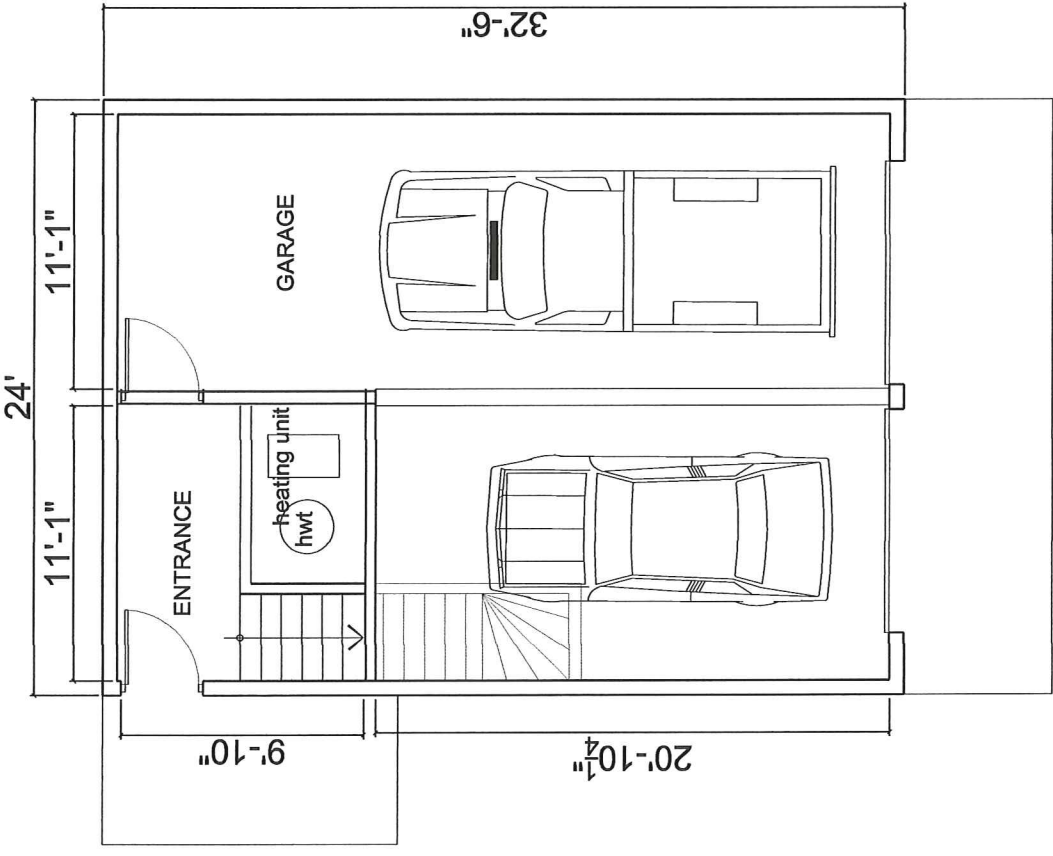


BACK LANE

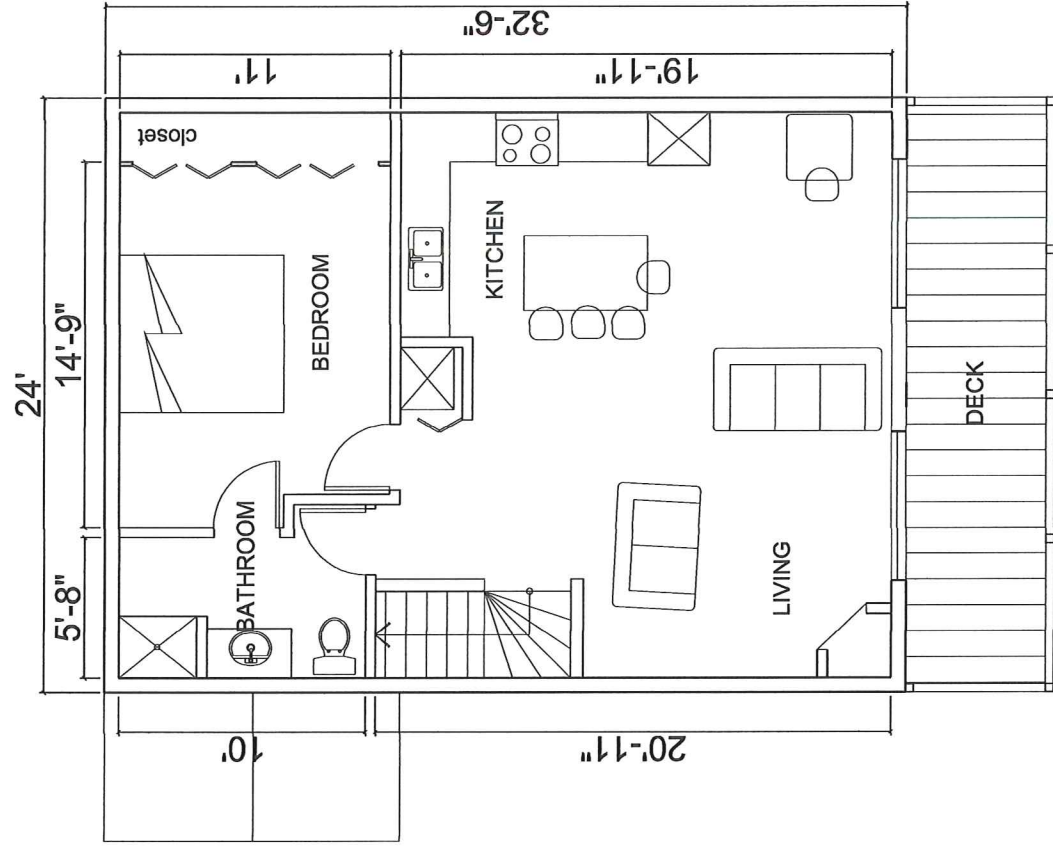
SITE PLAN



Certain layers such as lots, zoning and dp areas are updated bi-weekly. This map is for general information only.
 The City of Kelowna does not guarantee its accuracy. All information should be verified.



LOWER LEVEL



UPPER LEVEL