REPORT TO COUNCIL

Date:	January 25, 2016		
RIM No.	1250-30		
To:	City Manager		
From:	Community Planning Department (LK)		
Application:	Z15-0025	**Owner:**	(Christian) Lee Bond
Address:	565 Coronation Avenue	**Applicant:**	(Christian) Lee Bond
Subject:	Rezoning Application		
Existing OCP Designation:	MRM – Multiple Unit Residential (Medium Density)		
Existing Zone:	RU2 – Medium Lot Housing		
Proposed Zone:	RU2c – Medium Lot Housing with Carriage House		

1.0 Recommendation

THAT Rezoning Application No. Z15-0025 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 36 District Lot 139 ODYD Plan 1303, Located at 565 Coronation Avenue, Kelowna, BC from the RU2 – Medium Lot Housing zone to the RU2c – Medium Lot Housing with Carriage House zone, be considered by Council;

AND THAT the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the Issuance of an Occupancy Permit (at completion of the Single Family Dwelling Building Permit process) for the subject property;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered in conjunction with Council's consideration of a Development Permit and Development Variance Permit for the subject property.

2.0 Purpose

To rezone the subject property to facilitate the development of a Carriage House.

3.0 Community Planning

Community Planning Staff supports the proposal to convert an existing primary dwelling to a Carriage House on the subject property. The proposed rezoning would allow for the existing primary dwelling at the rear of the parcel to become the secondary use of Carriage House. The existing accessory building at the front of the parcel would be converted to the primary Single Dwelling Housing use.

Staff have some concerns regarding the form and character of the project and will continue to work with the applicant on improvements leading up to Council's consideration of the Development Permit and Development Variance permits.

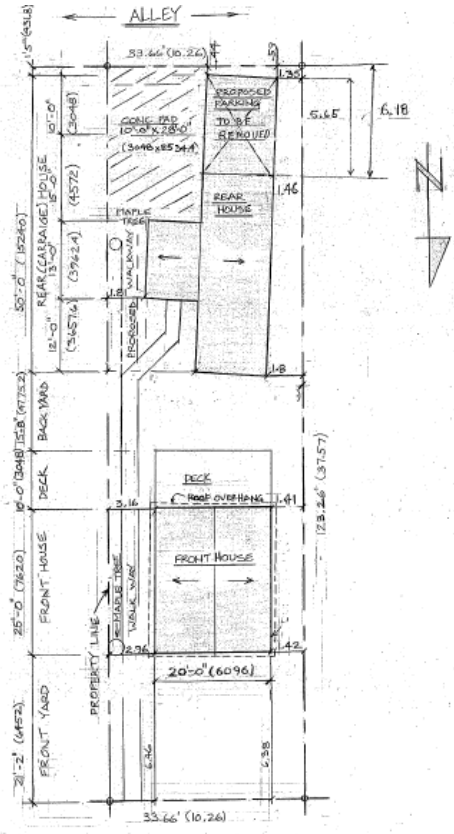
4.0 Proposal

4.1 Background

The subject parcel was created in 1913. The principal dwelling was constructed on the parcel in 1948 and a building permit was issued in 1954 to allow for an addition to the east side of the dwelling. In 1986, a second building permit was issued for the construction of an accessory building to be located at the front of the parcel. At that time, accessory building location was not restricted to the rear of the parcel.

At some point after the construction was completed, the accessory building was converted to an illegal 'secondary suite' with enforcement action ensuing. In 2000, the applicant applied to rezone the parcel to RU2s – Medium Lot Housing with Secondary Suite zone to allow for the legalization of the 'secondary suite'. Council unanimously voted against the application (Z00-1005).

4.2 Project Description

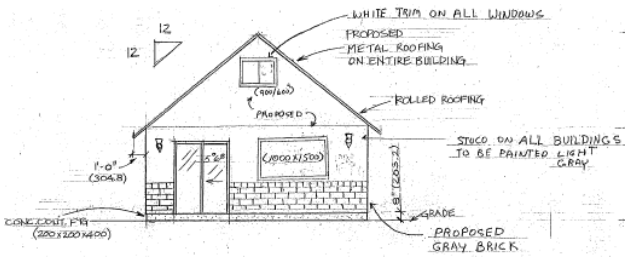


If the proposed rezoning is approved, adoption of the Bylaw will be conditional on the application and completion of a building permit application and inspections for the proposed conversion to single family dwelling. This will ensure the former accessory building meets the building code rules of today for a habitable dwelling. Once this has been completed, Staff will have assurance that life safety measures have been addressed and adoption of the Rezoning Bylaw would be considered by Council along with the review of a Development Permit and Development Variance Permit for the Carriage House.

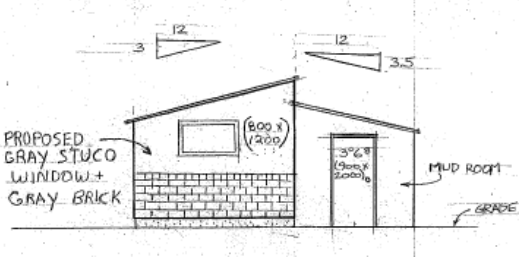
The current proposal is similar to the above referenced Z00-1005 rezoning application. Revisions have been provided to upgrade the facades of the existing buildings and to provide the three required parking stalls on the subject parcel. This is accomplished by a portion of the existing rear building being removed to provide adequate room for the parking stalls at the rear of the parcel.

The upgrades to the building exterior will improve the existing streetscape, lanescape and overall neglect of the parcel. Through the current Official Community Plan Guidelines, Zoning Bylaw and Building Permits building code requirements; Staff views this as an opportunity to address concerns which have existed for many years.

The Uses on the parcel will be amended. The primary dwelling is currently at the rear of the parcel. This use will now be for the building facing Coronation Avenue, which was originally constructed as an Accessory Building. The primary dwelling will have the use of Carriage House, as it is located off the rear lane.



Primary Dwelling – Front Elevation



Carriage House – Elevation from Lane

The required variance is to reduce both side setbacks of the Carriage House from 2.0 m required to 1.46 m provided on the west side and 1.81 m on the east side. The subject building was constructed on the parcel in 1948 and therefore, does not meet the current side setback requirements. The 2.0 m side setback requirement is the same for a Carriage House as it is for the one storey portion of a primary dwelling. As such, the non-conformity of the building will be reduced on the west side. This is achieved by the removal of a portion of the rear of the existing building to accommodate parking stalls which will be accessed from the rear lane. The side setback is 1.35 m, and will increase to 1.46 m proposed.

As the footprint of the primary dwelling at the front of the parcel will remain unchanged, the west side setback will remain existing non-conforming at 1.41 m.

4.3 Site Context

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU2 – Medium Lot Housing	Single Detached Dwelling
East	RU2 – Medium Lot Housing	Single Detached Dwelling
South	RU2 – Medium Lot Housing	Single Detached Dwelling
West	RU2 – Medium Lot Housing	Single Detached Dwelling

Subject Property Map: 565 Coronation Avenue



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	**RU2c ZONE REQUIREMENTS**	**PROPOSAL**
Existing Lot/Subdivision Regulations		
Minimum Lot Area	400 m^2	380.71 m^2
Minimum Lot Width	13 m	10.13 m
Minimum Lot Depth	30 m	37.57 m
Development Regulations		
Maximum Site Coverage (buildings)	40%	22.38%
Maximum Site Coverage (buildings, driveways and parking)	50%	39.04%
Maximum Height	9.5 m	4.87 m
Minimum Front Yard	4.5 m	6.38 m
Minimum Side Yard (east)	2.3 m	2.96 m
Minimum Side Yard (west)	2.3 m	1.41 m
Minimum Rear Yard	7.5 m	23.57 m
Max. Height	4.8 m	3.35 m
Min. Side Yard (east)	2.0 m	1.81 m❶
Min. Side Yard (west)	2.0 m	1.46 m❶
Min. Rear Yard	0.9 m	6.18 m
Height (carriage house shall not be higher than existing primary dwelling unit)	2 storey primary dwelling	1 storey carriage house
Other Regulations		
Minimum Parking Requirements	3 stalls	3 stalls
Minimum Private Open Space	m^2	m^2
❶ Indicates a requested variance to the side setback of the carriage house.		

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 neighborhood with respect to building design, height and siting.

5.2 Technical Comments

[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).

5.3 Building & Permitting Department

- Full Plan check for Building Code related issues will be done at time of Building Permit applications.
- Please indicate how the requirements of Radon mitigation and NAFS are being applied to this structure at time of permit application.

5.4 Development Engineering Department

- See Attachment 'A'

5.5 Bylaw Services

- Numerous bylaw issues relating to this property; presently a court file summons for 3-cts, Unsightly Premises Bylaw, Zoning Bylaw and Fire and Life Safety Bylaw.

5.6 Fire Department

- Requirements of section 9.10.19 Smoke 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 without special knowledge. Additional visible address is required from Coronation. Emergency access is NOT from the lane to the south but form Coronation Ave.

5.7 Real Estate & Building Services Manager

- This is a very high use area relating to parking & there is no guarantee that street parking will always be available (parking variances in this area are not recommended).

6.0 Application Chronology

Date of Application Received:	May 21, 2015
Date of latest Drawing Revisions Received:	November 16, 2015
Date Public Consultation Completed:	July 15, 2015

Report prepared by:

Lydia Korolchuk, Planner

Reviewed by: ☐ Terry Barton, Urban Planning Manager

Approved for Inclusion: ☐ Ryan Smith, Community Planning Department Manager

Attachments:

Schedule A: Site Plan & Landscape Plan
Schedule B: Conceptual Elevations
Attachment 'A': Development Engineering Memorandum
Summary of Technical Comments