

# REPORT TO COUNCIL



**Date:** February 15, 2016

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (TB)

**Application:** Z15-0062      **Owner:** Jeremiah Weiler & Carissa Kennedy

**Address:** 330 Davie Rd      **Applicant:** Jeremiah Weiler & Carissa Kennedy

**Subject:** Zoning Amendment

**Existing OCP Designation:** MRL - Multiple Residential Low Density

**Existing Zone:** RU1 - Large Lot Housing

**Proposed Zone:** RU1c - Large Lot Housing with Carriage House

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## 1.0 Recommendation

THAT Rezoning Application No. Z15-0062 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 22 Township 26 ODYD Plan 31836, located at 330 Davie Rd, Kelowna, BC from RU1 - Large Lot Housing zone to RU1c - Large 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 FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval set out in Attachment "A" - City of Kelowna Memorandum dated January 28, 2016.

## 2.0 Purpose

To rezone the subject property to facilitate development of a carriage house.

## 3.0 Community Planning

Community Planning Staff supports the proposed rezoning application to allow for the development of a carriage house on the subject property. The S2RES - Single / Two Unit Residential OCP Land Use Designation permits the proposed RU1c - Large Lot Housing with Carriage House zone. Currently the adjacent parcels contain a mix of single family and multi-family residential dwellings. The proposed carriage house use is consistent with the OCP policy for Sensitive Infill and Compact Urban Form.

Council Policy No. 367 with respect to public consultation was undertaken by the applicant. All adjacent neighbours within a 50m radius were provided with a circulation package in regards to the development. Staff have received one comment of non-support and one neutral telephone inquiry.

#### 4.0 Proposal

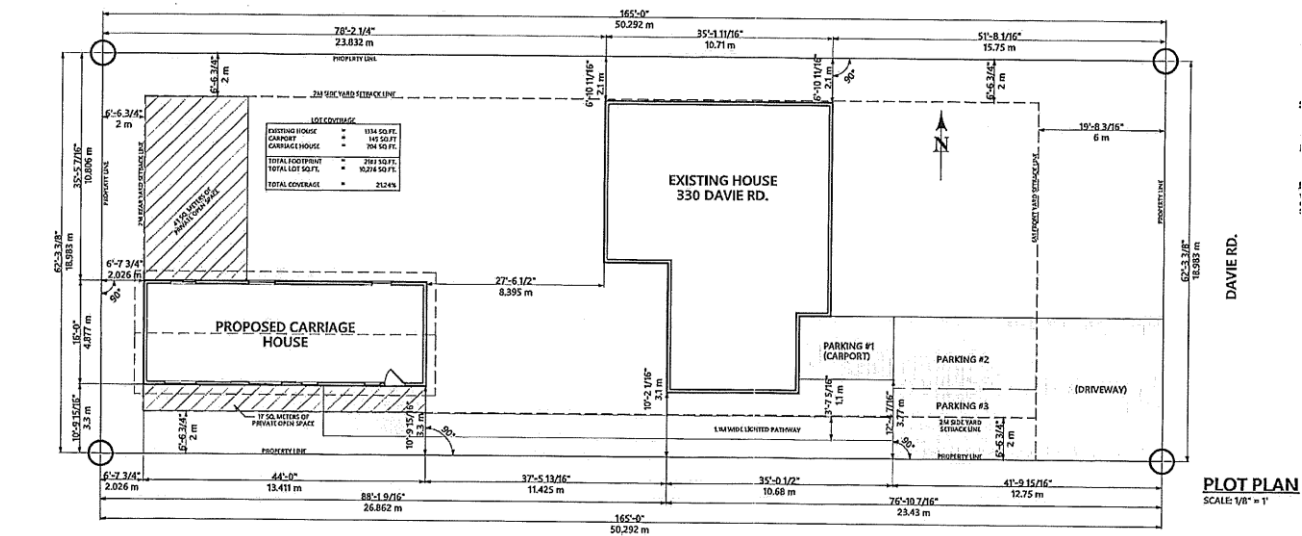
##### 4.1 Background

The existing 1 ½ storey single detached dwelling was constructed in the early 1960's, with a carport and living room addition completed in 1994. An exterior entrance door was added to the basement in 2009. An existing workshop/shed will be demolished prior to construction of a carriage house.

##### 4.2 Project Description

The subject parcel is located within the Permanent Growth Boundary on the west side of Davie Road, south of Hwy 33 E in the Rutland neighbourhood. In conjunction with the Rezoning application, the applicant submitted a Direct Development Permit application for the form and character of the proposed carriage house. Should Council choose to support the rezoning request, Staff will continue to work with the applicant to issue the Development Permit in accordance with the Intensive Residential - Carriage House / Two Dwelling Housing guidelines.

The proposal is for a single story carriage house with required private outdoor space in the form of a patio and green space, and 3 parking stalls at the front of the property.



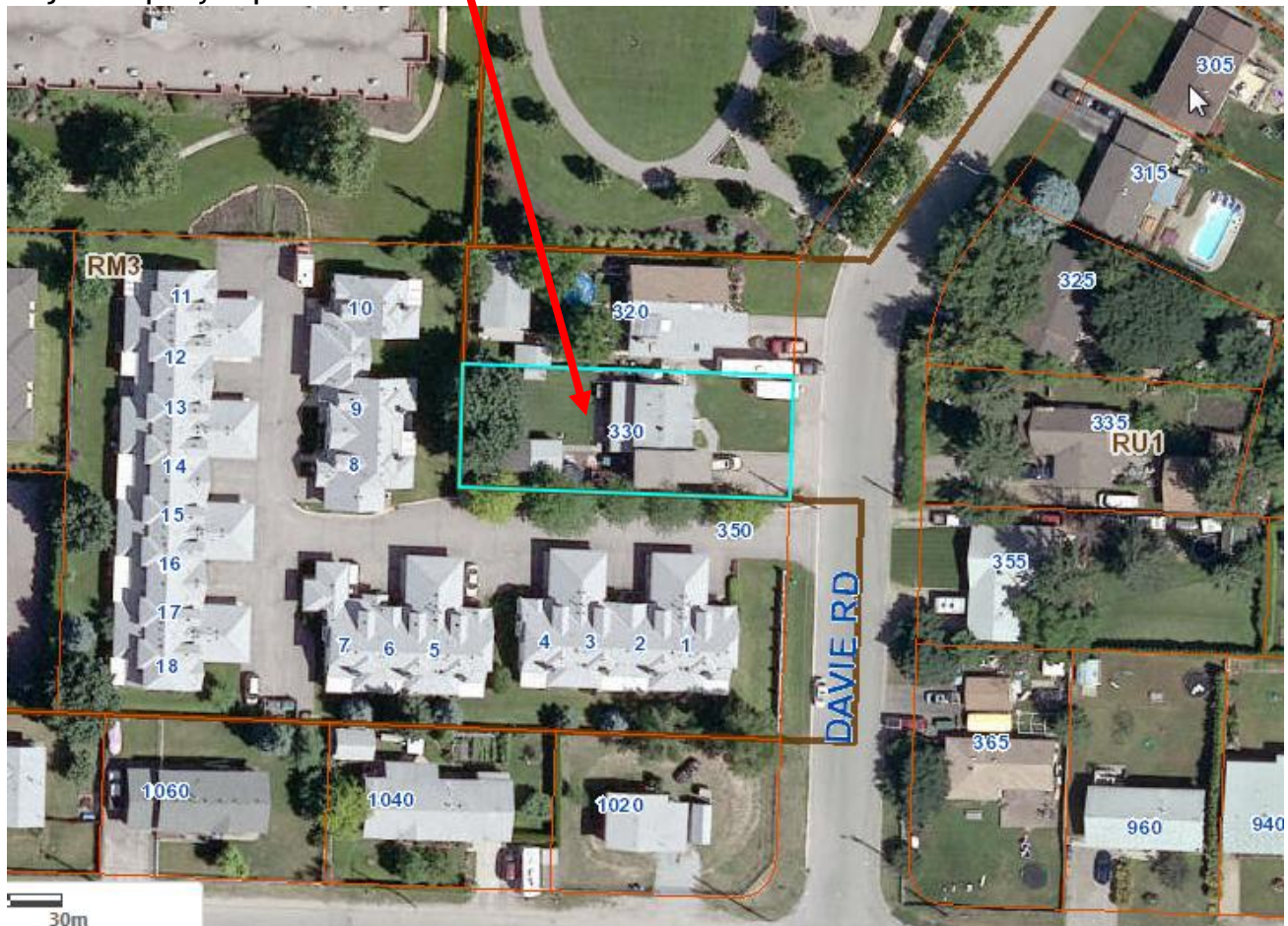
#### 4.3 Site Context

The subject property is located on the West side of Davie Rd, with easy access to Hwy 33 E. There is a public park two lots to the north, and it is bordered on the south and west by a multi-family townhome complex.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Residential
East	RU1 - Large Lot Housing	Residential
South	RM3 - Low Density Multiple Housing	Residential
West	RM3 - Low Density Multiple Housing	Residential

Subject Property Map 330 Davie Rd:



#### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1c ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Min. Lot Area	550 m <sup>2</sup>	971 m <sup>2</sup>
Min. Lot Width	16.5 m	18.98 m
Min. Lot Depth	30 m	50.29 m
Development Regulations		
Site Coverage	40%	21.2%
Site Coverage: accessory buildings or structures and carriage house (one storey)	20%	5.9%
Floor area of carriage house (footprint)	100 m <sup>2</sup>	56.1 m <sup>2</sup>
Max. area of carriage house (total building area)	130 m <sup>2</sup>	56.1 m <sup>2</sup>
Max. net floor area of carriage house to total net floor area of principal building	75%	42%
Setback from Principal Dwelling	3.0 m	8.4 m
Carriage House Regulations		
Max. Height	4.8 m	3.8 m
Min. Side Yard (north)	2.0 m	10.8 m
Min. Side Yard (south)	2.0 m	3.3 m
Min. Rear Yard (without a lane)	2.0 m	2.0 m
Height (carriage house shall not be higher than existing primary dwelling unit)	1 1/2 storey ex. House	1 storey Carriage House
Other Regulations		
Min. Parking Requirements	3 stalls	3 stalls
Min. Private Open Space	30 m <sup>2</sup>	+ 30 m <sup>2</sup>

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>1</sup> 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.

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

**Sensitive Infill.**<sup>2</sup> 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 Schedule "A" City of Kelowna Memorandum dated January 28, 2015.

### 5.5 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- All units shall have a posted address on Davie Rd. for emergency response
- Should a gate or fence be installed between main house and carriage house the gate is to open without special knowledge (locking device and have a clear width of 1100mm.
- Do not release BP until all life safety concerns are completed.

### 5.6 Fortis BC Electric

- There are primary distribution facilities along Davie Rd. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.
- Otherwise, FortisBC Inc. (Electric) has no concerns with this circulation.
- In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

### 5.7 Irrigation District

- See Schedule "B": Rutland Water Works District Letter dated December 17, 2015

### 5.8 Ministry of Transportation

- Preliminary Approval is granted for the rezoning for one year pursuant to Section 52(3)(a) of the Transportation Act.

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

## 6.0 Application Chronology

Date of Application Received: July 3, 2015  
Date Public Consultation Completed: January 21, 2016

Report prepared by:

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Trisa Brandt, Planner I

Reviewed by: ☐ Terry Barton, Urban Planning Manager

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

### Attachments:

Subject Property Map

Schedule "A": City of Kelowna Memorandum dated January 28, 2016

Schedule "B": Rutland Water Works District Letter dated December 17, 2015

Conceptual Site Plan and Drawings