

# REPORT TO COUNCIL



**Date:** March 7, 2016

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z15-0067

**Owner:** Wayne Daryle Heinen,  
Lisa Marie Cayer Heinen

**Address:** 468 Barkley Rd

**Applicant:** Wayne Daryle Heinen

**Subject:** Rezoning Application

**Existing OCP Designation:** S2RES - Single/Two Unit Residential

**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. Z15-0067 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 16, DL 167, ODYD, Plan 13550, located on 468 Barkley Road, Kelowna, BC from the RU1, Large Lot Housing, to RU1c, Large Lot Housing with carriage house zone, be considered by Council;

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

AND THAT final adoption of the Rezoning Bylaw be considered subsequent to the outstanding conditions of approval as set out in Schedule "A" attached to the Report from the Community Planning Department dated (January 25, 2016);

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

## 2.0 Purpose

To rezone the subject property from RU1, Large Lot Residential to RU1c, Large Lot Residential with Carriage House, to facilitate the development of a carriage house.

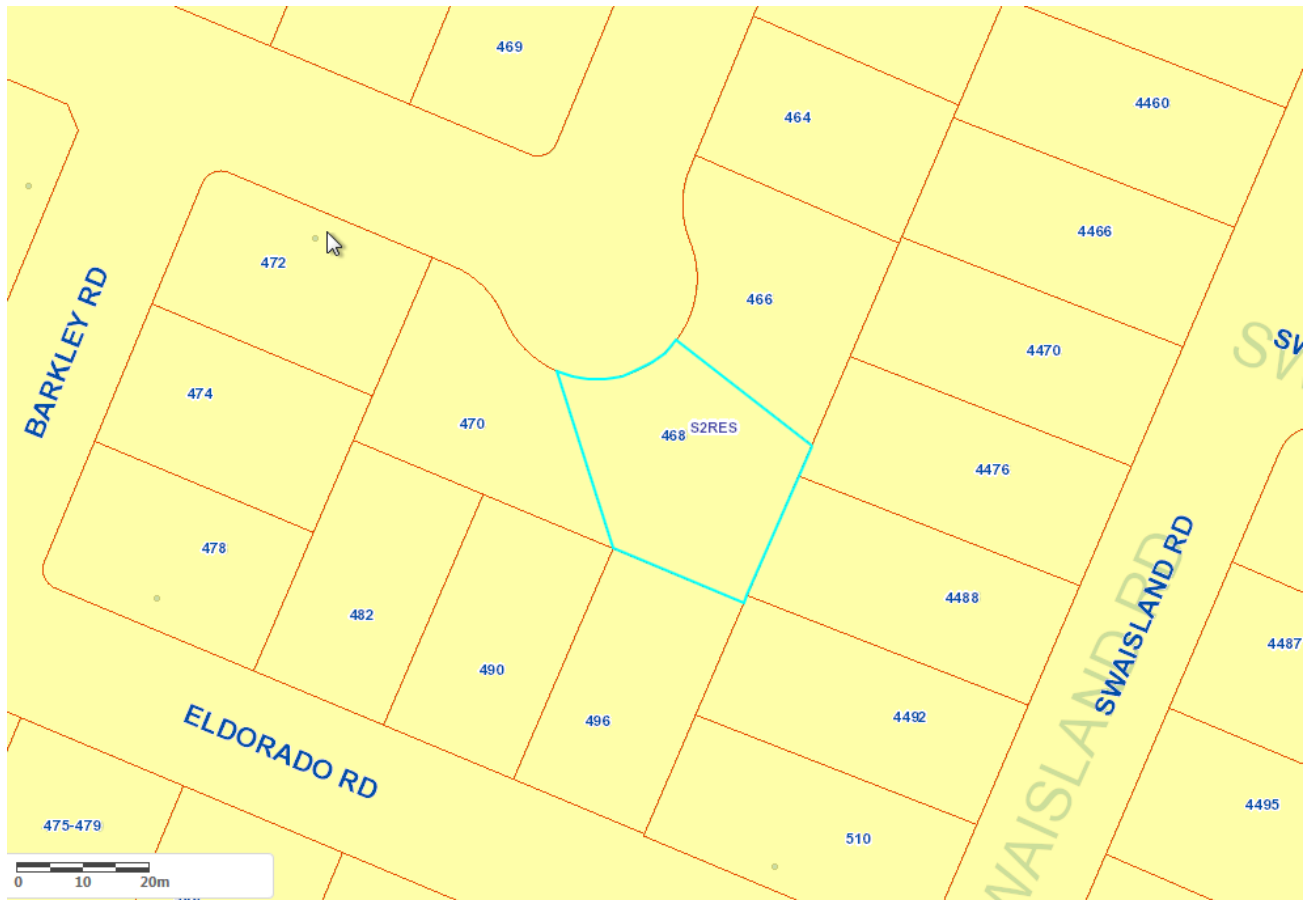
## 3.0 Community Planning

Community Planning Staff supports the request to rezone the subject property from the RU1 - Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone to facilitate the

development of a carriage house. The proposal is consistent with the Official Community Plan Future Land Use Designation of S2RES - Single/Two Unit Residential and with the OCP policy of Compact Urban Form. The applicant is proposing to convert an existing accessory building to a carriage house dwelling. The applicant will be working with City Staff to bring the building to a standard required for a dwelling as per the BC Building Code as well as Zoning Bylaw No 8000.

In accordance with Council Policy No. 367, the applicant completed neighbourhood consultation by contacting neighbouring properties within 50 m. To date, Staff has received 3 emails and 1 phone call of non-support from neighbors. The general concerns included changing the density and character of the neighbourhood from single unit housing to two-unit housing, potential parking issues, and non-support of rental units.

#### OCP Future Land Use Map: 468 Barkley Rd



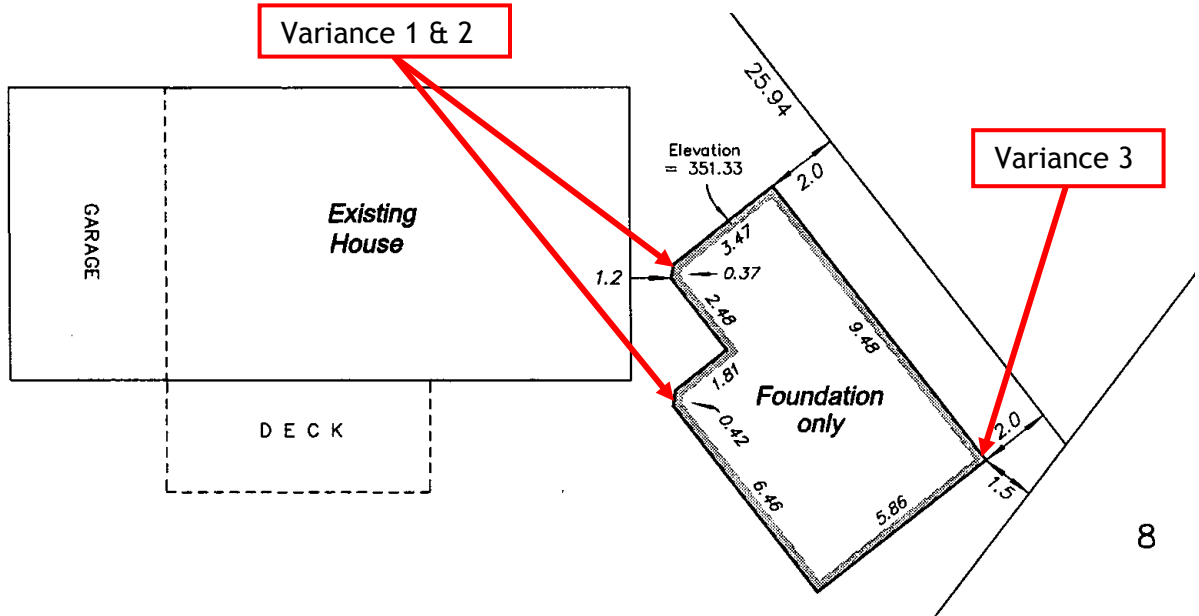
## 4.0 Proposal

### 4.1 Background

The subject property contains a single story 1960's bungalow and one accessory building. The proposed conversion of the accessory building would create a one-bedroom carriage house with driveway parking and private open space beside. The accessory building was constructed in 2011 with the required building permit.

#### 4.2 Project Variances

The proposed conversion requires 3 variances for setbacks, which met the zoning requirements for an accessory building but not for a carriage house. Two variances are for setbacks between the principal dwelling and the carriage house from 3.0m required to 1.20m proposed at the two east corners of the proposed carriage house. The third variance is for rear yard setback from 2.0m required to 1.52m proposed.



A small attached greenhouse will be removed from this accessory building as a function of this application in order to maintain the 2.0m setback to the adjacent property to the north. Parking requirements are met in the existing driveways, and each dwelling has 30m<sup>2</sup> of private outdoor space. Should Council support this rezoning application, Staff will bring forth a Development Permit and Development Variance Application for formal consideration by Council.

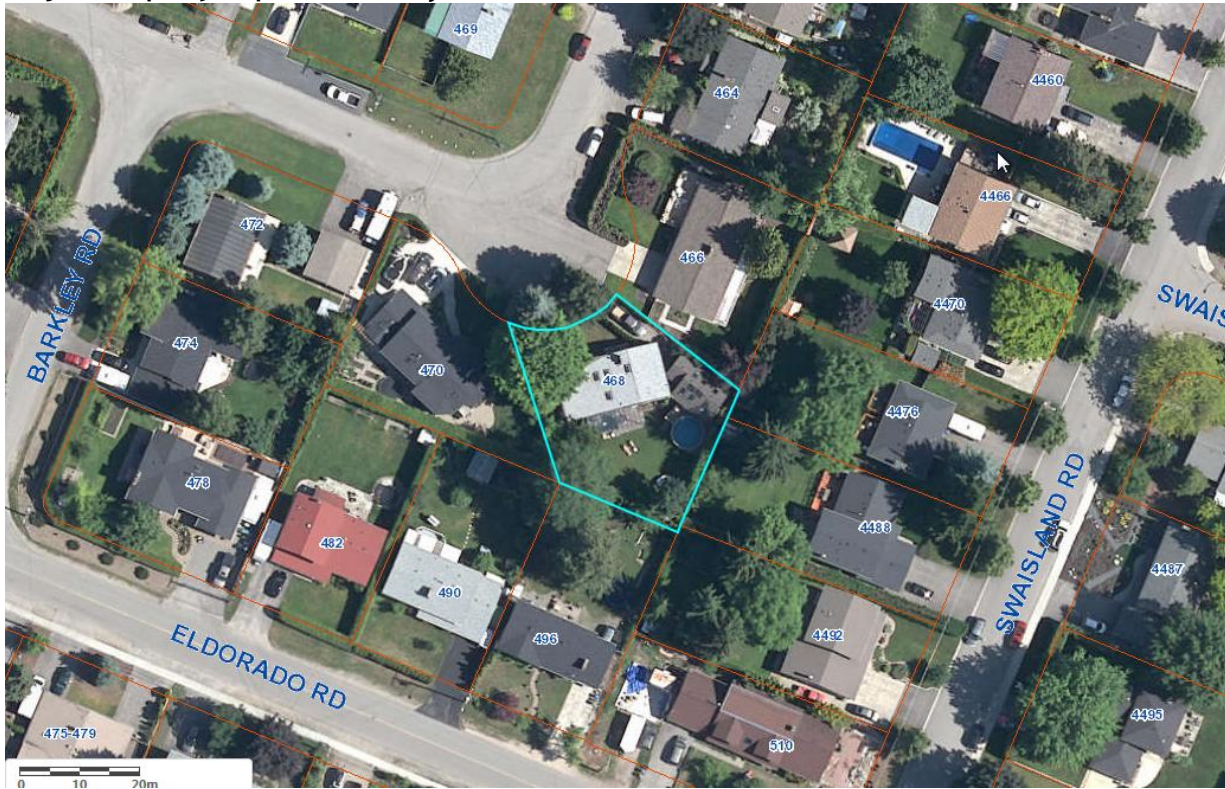
### 4.3 Site Context

The subject property is located east of Lakeshore Road and south of Sarsons Road in North Mission within the Permanent Growth Boundary.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	S2Res - Single/Two Unit Residential
East	RU1 - Large Lot Housing	S2Res - Single/Two Unit Residential
South	RU1 - Large Lot Housing	S2Res - Single/Two Unit Residential
West	RU1 - Large Lot Housing	S2Res - Single/Two Unit Residential

Subject Property Map: 468 Barkley Road



## 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1c	PROPOSAL
Existing Lot		
Minimum Lot Area	550 m <sup>2</sup>	1245 m <sup>2</sup>
Minimum Lot Width	16.5 m	30 m
Minimum Lot Depth	30.0 m	41 m
Development Regulations		
Maximum Site Coverage of all buildings	40%	21%
Maximum Site Coverage of all buildings, driveways, and parking	50%	25.9%
Maximum Site Coverage of all accessory buildings	20%	6.8%
Maximum Height	Less than the principal dwelling	Less than the principal dwelling
Minimum Front Yard	6 m	15.39 m
Minimum Side Yard (north)	2.0 m	2.0 m
Minimum Side Yard (south)	2.0 m	Greater than 2.0 m
Minimum Rear Yard	2.0 m	1.52 m <span style="color: red;">❶</span>
Minimum Setback to Principal Dwelling	3.0 m	1.20 m <span style="color: red;">❷❸</span>
Other Regulations		
Minimum Parking Requirements	3 stalls	>3 stalls
Minimum Private Open Space	30 m <sup>2</sup> Each Dwelling	>30 m <sup>2</sup> Each Dwelling
<span style="color: red;">❶</span> Indicates a requested variance to the minimum rear yard. <span style="color: red;">❷❸</span> Indicates 2 requested variances to the setback from the principal dwelling.		

## 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.

## 6.0 Technical Comments

## 6.1 Building &amp; Permitting Department

- Development Cost Charges (DCC's) are required to be paid prior to issuance of any Building Permits.

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

- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Windows may be required to be reduced between structures and non-combustible cladding may be required. Designer to provide spatial calculations and fire rated assemblies as required.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

#### 6.2 Development Engineering Department

- Please see attached Schedule "A" dated January 25, 2016.

#### 6.3 Fire Department

- The fire department has no issues with the zoning change
- 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 Barkley Rd. for emergency response and access
- Do not release BP until all life safety concerns are completed.

#### 6.4 FortisBC Electric

- There are primary distribution facilities along Barkley Road. 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.

## 7.0 Application Chronology

Date of Application Received: November 26, 2015  
Date Public Consultation Completed: January 2, 2015

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:

Site Plan  
Landscape Plan  
Conceptual Elevations  
Context/Site Photos  
Schedule "A" Dated January 25, 2016