

REPORT TO COUNCIL



Date: July 16th, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (JR)

Application: Z17-0049 **Owner:** Derek L & Tammy L Cartier

Address: 521 Curlew Drive **Applicant:** Urban Options Planning & Permits

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RR1 – Rural Residential 1

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z17-0049 to amend the City of Kelowna Bylaw No. 8000 by changing the zoning classification of Lot 15, Section 24, Township 28, SDYD, Plan 32591 for 521, Curlew Drive, Kelowna, BC from the RR1 – Rural Residential 1 zone to RU1c – Large Lot Housing with Carriage House be considered by Council;

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

2.0 Purpose

To consider rezoning the subject property from RR1 – Rural Residential 1 zone to RU1c – Large Lot Housing with Carriage House.

3.0 Community Planning

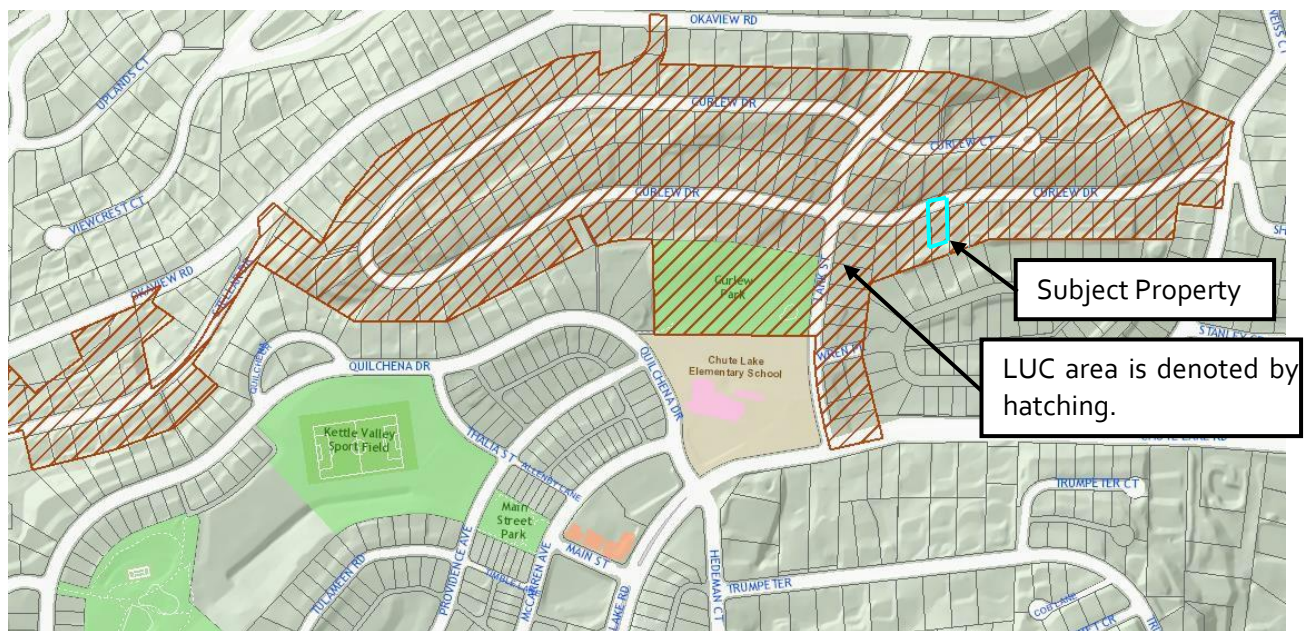
The applicant is proposing to rezone the subject property to facilitate the construct of a carriage house. Last year, this application was brought to Council to discharge the LUC, that was regulating the property, and rezone the property. At that time the parcel was currently under the regulation of a Land Use Contract (LUC77-1002) which did not permit the construction of a carriage house and so the LUC needed to be discharged. The LUC discharge was approved by Council however, at Public Hearing several neighbours were concerned with privacy issues and the increased density. Council did not pass the rezoning of the property and asked for the privacy concerns to be addressed in their design. The applicant is now coming forward with an updated design. The proposal now includes the addition of a five (5) foot

opaque wooden fence along the West side of the carriage house deck. Community Planning staff support the request to rezone the property to facilitate the construction of a carriage house.

4.0 Proposal

4.1 Background

The Land Use Contract (LUC 77-1002) that was discharged from the subject property last year also applied to 167 neighbouring properties. In conformance with Council Policy No. 282, Staff brought a bylaw terminating the Land Use Contract from the remaining 167 parcels within the Upper Mission Area of Kelowna. This was a separate process from the discharge of the LUC on the subject property that was eliminated immediately after Council adoption. The termination of the LUC on the remaining properties eliminates the LUC one year after Council adoption; this will occur in early fall of this year.



4.2 Project Description

The applicant is proposing to rezone the subject property to RU1c – Large Lot Housing with Carriage House to facilitate the construction of a carriage house.

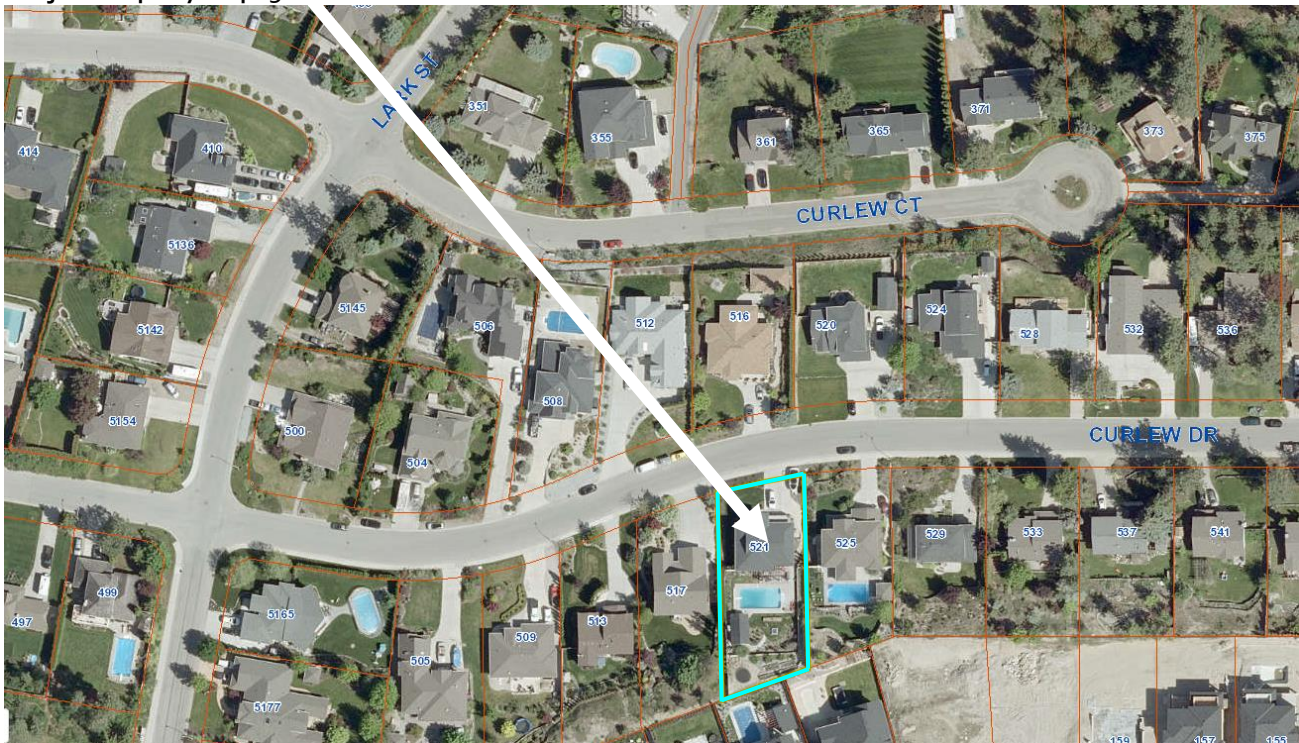
4.3 Site Context

The subject property has a total area of 1255 m² and is located on Curlew Drive, and is connected to community sewer. The property and the surrounding area is designated S2RES – Single / Two Unit Residential in the Official Community Plan.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	LUC 77-1002 RU1 – Large Lot Housing	Single Family Residential
East	LUC 77-1002 RU1 – Large Lot Housing	Single Family Residential
South	CD2 – Kettle Valley	Single Family Residential
West	LUC 77-1002 RU1 – Large Lot Housing	Single Family Residential

Subject Property Map: 521 Curlew Drive



4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1 ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	550 m ²	1,254.6 m ²
Lot Width	16.5 m	23.5 m
Lot Depth	30 m	51.88 m
Carriage House Regulations		
Maximum Accessory Site Coverage	20%	11%
Maximum Accessory Building Footprint	100 m ² (carriage house) 50 m ² (accessory buildings) 130m ² (total)	100 m ² (carriage house) 30 m ² (storage shed)

Maximum Net Floor Area	100 m ²	100 m ²
Maximum Net Floor Area to Principal Building	75%	56 %
Maximum Height (to mid-point)	4.8 m	4.8 m
Maximum Height (to peak)	Peak of principal dwelling	5.23 m
Front Yard	12	> 12 m
Side Yard (east)	1.5 m	8.0 m
Side Yard (west)	1.5 m	2.0 m
Rear Yard	1.5 m	2.74 m
Minimum Distance to Principal Dwelling	3.0 m	2.0 m
Other Regulations		
Minimum Parking Requirements	3 stalls	3 stalls
Private Open Space	60 m ²	< 60 m ²

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.

Carriage Houses & Accessory Apartments.² Support carriage houses and accessory apartments through appropriate zoning regulations.

6.0 Technical Comments

6.1 Building & Permitting Department

- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- See Attachment A

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

² City of Kelowna Official Community Plan, Policy 5.27.11 (Development Process Chapter).

7.0 Application Chronology

Date of Application Received: May 29, 2017
Date Public Consultation Completed: June 19, 2018

Report prepared by: Jenna Ratzlaff, Planner

Reviewed by: Terry Barton, Urban Planning Manager

Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment 'A': Development Engineering Memo
Schedule 'A': Plans & Images
Schedule 'B': Elevations