

REPORT TO COUNCIL



Date: October 1, 2018

RIM No. 1250-30

To: City Manager

From: Community Planning Department (BBC)

Application: Z18-0067 **Owner:** David Jeremy Stevens and Rosemarie Jean Stewart

Address: 4465 Nottingham Road **Applicant:** Ted Bajer

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

1.0 Recommendation

THAT Rezoning Application No. Z18-0067 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 358, Osoyoos Division Yale District, Plan EPP25655, located at 4465 Nottingham Road, Kelowna, BC from the RU1 – Large Lot Housing zone to the 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.

2.0 Purpose

To rezone the subject property from RU1 - Large Lot Housing zone to RU1c - Large Lot Housing with Carriage House to allow an existing accessory structure to be used as a carriage house.

3.0 Community Planning

Community Planning recommends support for the proposed rezoning of the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House to allow the existing accessory building to be converted to a carriage house. Rezoning the subject property from RU1 to RU1c would permit the legal use of the accessory building as a carriage house, and a building permit would ensure that building code requirements are met.

The Official Community Plan (OCP) Future Land Use is designated as S2RES – Single/Two Unit Residential, supporting the modest increase in density. The concept of the carriage house is aligned with the OCP urban infill policy of Compact Urban Form – increasing density where infrastructure already exists. The property is

located within the Permanent Growth Boundary with urban services. The carriage house conversion also meets the OCP Policy of Sensitive Infill, which involves designing so that height and massing is sensitive to the existing context of the neighbourhood.

Parking requirements have been met, and there are no variances being tracked at this time. Should Council approve the rezoning, the applicant would proceed to building permit.

To fulfill Council Policy No. 367, the applicant submitted a Neighbour Consultation Summary Form to staff on August 29, 2018, outlining that the neighbours within 50 m of the subject property were notified.

4.0 Proposal

4.1 Background

The 0.4 acre property currently has a single family dwelling, a swimming pool, and an accessory building. The accessory building under consideration was constructed as a pool-house with a permit in June 2015. The pool-house was utilized for overnight guests, and as a result City Bylaw enforcement notified the owner that the pool-house could not be used for overnight stays by guests. It is Staff's understanding that the property owner would like to bring the accessory building in compliance, to be utilized as a carriage house.

4.2 Project Description

The applicant is proposing to rezone the property to RU1c - Large Lot Housing with Carriage House to allow the existing accessory structure to be used as a carriage house, and allowing the property owner to use the building for guests.

A building permit would be required for the existing accessory building to bring it up to current BC Building Code. The form and character of the accessory building would not need to be modified. Parking and private open space for both the dwelling and the accessory building is accommodated on the subject property. Additionally, the applicant had agreed to improve neighbourhood street-scape by adding landscaping along the eastern property boundary.

4.3 Site Context

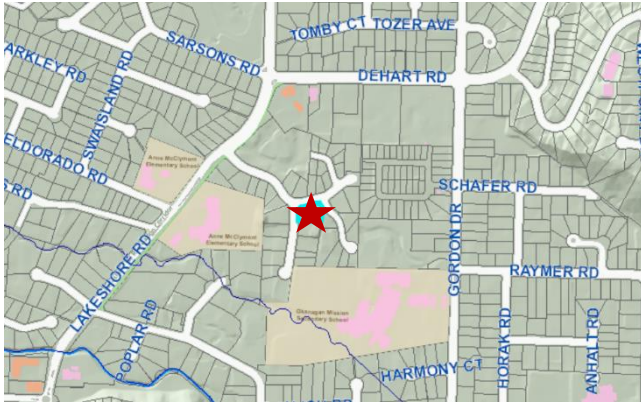
The subject property is located at the corner of Nottingham Road (front yard), Sherwood Road (flanking street) and Rattenbury Court (rear yard). Access to the property is from Sherwood Road. The subject property is near public transportation, located between Lakeshore Road to the west and Gordon Road to the east. It is within the North Mission - Crawford City Sector, and is located within the Permanent Growth Boundary. The area is characterized primarily by single family dwellings, with Anne McClymont Elementary and Okanagan Mission Secondary School located immediately to the west and south, respectively.

Adjacent land uses are as follows:

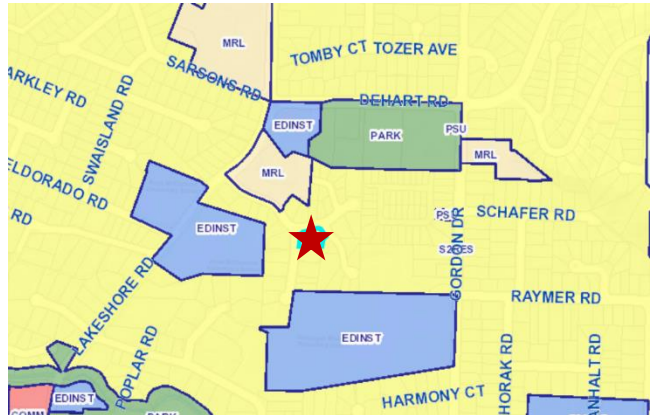
Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing RM3 - Low Density Multiple Housing P2 - Educational and Minor Institutional P4 - Utilities	Residential Firehall Park
East	RU1 - Large Lot Housing RU5 - Bareland Strata Housing RU1c - Large Lot Housing with Carriage House RU6 - Two Dwelling Housing P4 - Utilities	Residential

South	RU1 - Large Lot Housing RU2 - Medium Lot Housing P2 - Educational and Minor Institutional	Residential School and Park
West	RU1 - Large Lot Housing P2 - Educational and Minor Institutional	Residential School and Park

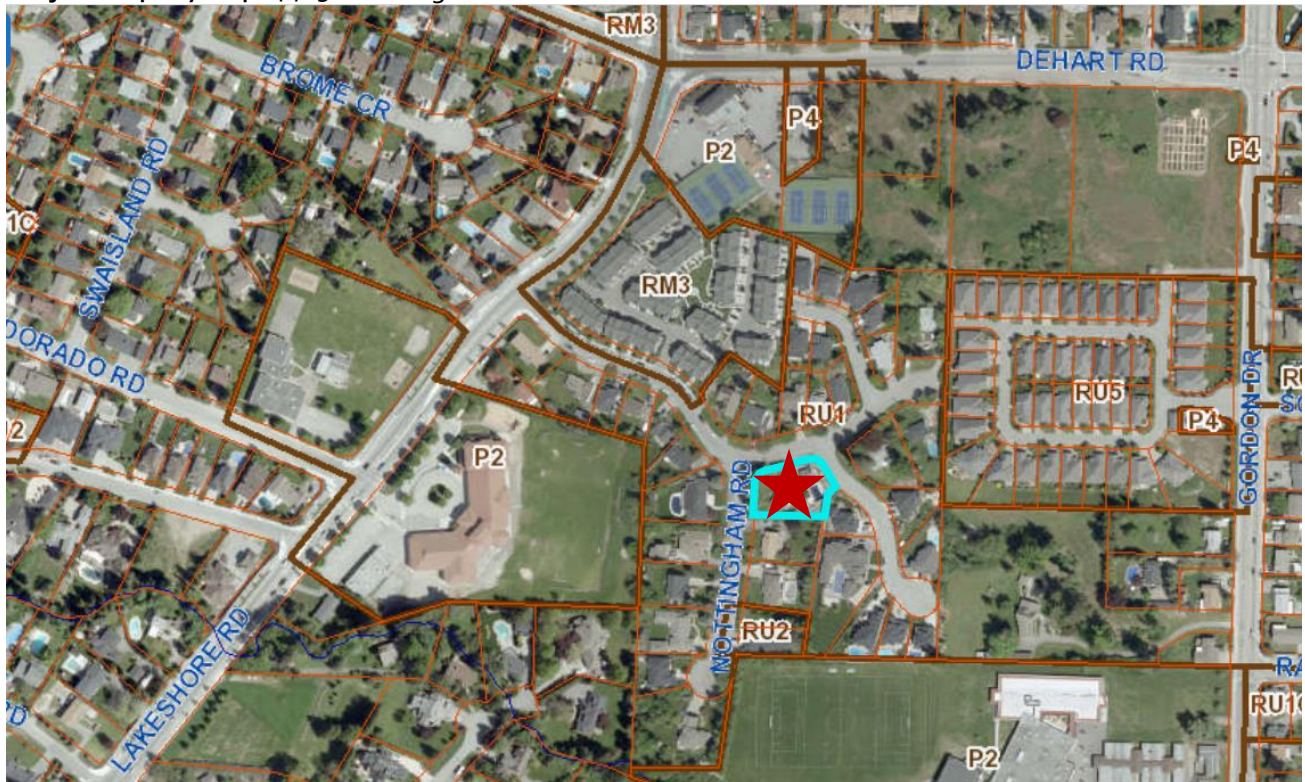
Site Context Map



Future Land Use Map



Subject Property Map: 4465 Nottingham Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

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.

Carriage Houses & Accessory Apartments.³ Support carriage houses and accessory apartments through appropriate zoning regulations.

Urban Uses.⁴ Direct urban uses to lands within the urban portion of the Permanent Growth Boundary, in the interest of reducing development and speculative pressure on agricultural lands.

6.0 Technical Comments

6.1 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 for this change of use. Please indicate how the requirements of Radon mitigation and NAFS are being applied to this structure at time of permit application.

6.2 Development Engineering Department

- Please see attached Development Engineering Memorandum (Attachment A) dated June 12, 2018.

6.3 Fire Department

- Access to all homes shall remain as is.
- Please ensure both are addressed off of Sherwood Road.

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).

³ City of Kelowna Official Community Plan, Policy 5.22.12 (Development Process Chapter).

⁴ City of Kelowna Official Community Plan, Policy 5.33.3 (Development Process Chapter).

7.0 Application Chronology

Date of Application Received: February 26, 2018
Supplemental Drawings Received: June 6, 2018
Date Public Consultation Completed: August 29, 2018

Report prepared by: Barbara B. Crawford, Planner
Reviewed by: Terry Barton, Urban Planning Manager
Approved for Inclusion: Ryan Smith, Community Planning Department Manager

Attachments:

Attachment A – Development Engineering Memorandum
Schedule A – Rational Letter, Site and Floor Plans