

# REPORT TO COUNCIL



**Date:** April 25, 2016

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z16-0005  
**Owner:** Frank Arthur Renou  
Joan Estelle Miller-Chapman

**Address:** 268 Lake Avenue  
**Applicant:** Scott Renou

**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. Z16-0005 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A, District Lot 14, ODYD, Plan 42536 located at 268 Lake Avenue, 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;

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 March 1, 2016;

## 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 proposed rezoning application to allow the development of a carriage house on the subject property. The S2RES - Single / Two Unit Residential land use designation supports the proposed RU1c - Large Lot Housing with Carriage House zone. The proposed carriage house use is consistent with the Official Community Plan (OCP) policies for Compact Urban Form and Sensitive Infill.

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 that was delivered in person on April 5<sup>th</sup>, 2016.

#### 4.0 Proposal

##### 4.1 Background

The original 2 storey dwelling with walk out basement was constructed in 1995 in a heritage style. The adjacent property to the west completed a carriage house development in October 2014. The property is within the Abbot Marshall Conservation Area, and should Council choose to support the rezoning request, Staff will come forward with a Development Variance Permit application and Heritage Alteration Permit application for approval.

##### 4.2 Project Description

The proposed 1 ½ storey carriage house meets all of the zoning requirements except for 1 variance. Parking requirements are met with 3 garage stalls on the main floor of the carriage house. Private outdoor space is provided with direct access from the main entrance of the carriage house on the interior of the lot, and privacy is maintained between the two dwellings through the use of fencing. The side yard setbacks exceed the minimum reducing impact on adjacent neighbours and fencing is to be retained to protect private outdoor space. The rear yard setback exceeds the minimum for improved sight lines when entering and exiting the three garage stalls.

One variance is required to vary the upper floor area of the carriage house from 75% of the carriage house footprint (required) to 80.5% (proposed).

The subject property is located within the Urban Core area on the north side of Lake Avenue, east of Pandosy Street. The close proximity to downtown, beaches, and nearby transit on Pandosy Street makes this an ideal location for increased density as per the OCP urban policies for Compact Urban Form and Sensitive Infill. The lot is fully serviced and the proposed use is supported by the OCP Future Land Use.

The Walkability score of this subject property is 87/100 meaning it is very walkable and most errands can be completed on foot. The Transit score is 48/100 which means there are a few nearby transit options.

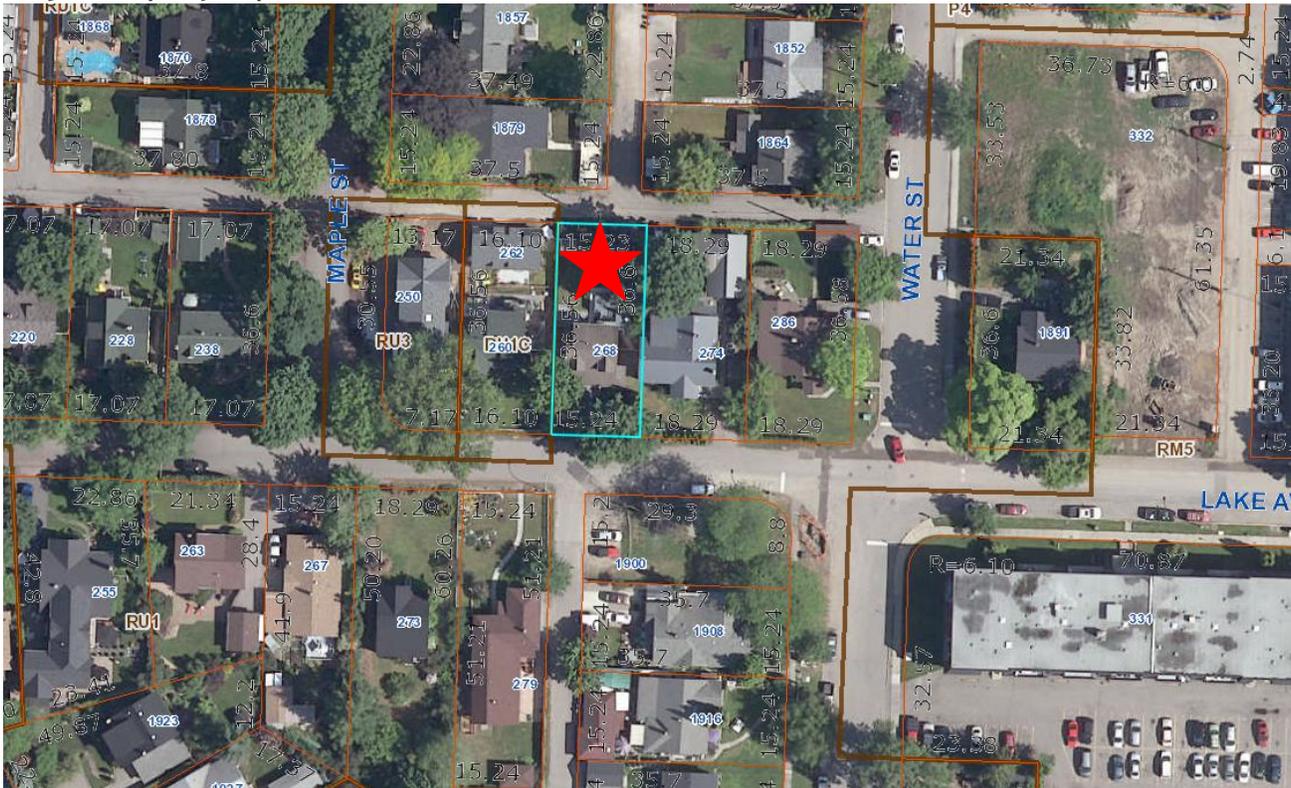
##### 4.3 Site Context

The surrounding neighborhood is predominantly RU1, however an increase in density to RU1c lots has occurred in the area with 5 RU1c lots in close proximity including the lot immediately adjacent.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 - Large Lot Housing	Residential
East	RU1 - Large Lot Housing	Residential
South	RU1 - Large Lot Housing	Residential
West	RU1 - Large Lot Housing with Carriage House	Residential

Subject Property Map:



4.4 Zoning Analysis Table

CRITERIA	RU1c ZONE REQUIREMENT	PROPOSAL
<b>Subdivision or Existing Lot Regulations</b>		
Minimum Lot Width	15.0 m	15.24 m
Minimum Lot Depth	30.0 m	36.55 m
Minimum Lot Area	550 m <sup>2</sup>	556.66 m <sup>2</sup>
<b>Development Regulations</b>		
Maximum Total Site Coverage (buildings)	40%	39.98%
Maximum Total Site Coverage (buildings, driveways & parking)	50%	41.89%
<b>Carriage House Development Regulations</b>		
Maximum Accessory Site Coverage	14%	14%
Maximum Accessory Building Footprint	90 m <sup>2</sup>	77.92 m <sup>2</sup>
Maximum Net Floor Area	90 m <sup>2</sup>	62.70 m <sup>2</sup>
Maximum Net Floor Area to Principal Building	75%	65.44 %
Maximum Upper Storey Floor Area to Building Footprint	75%	80.47% <span style="color: red;">●</span>
Maximum Height (to mid-point)	4.8 m	4.77 m

Maximum Height (to peak)	Peak of principal dwelling (8.07m)	6.34 m
Minimum Side Yard (West)	2.0 m	2.31 m
Minimum Side Yard (East)	2.0 m	2.56 m
Minimum Rear Yard	0.9 m	1.50 m
Minimum Distance to Principal Building	3.0 m	5.8 m
<b>Other Regulations</b>		
Minimum Parking Requirements	3 stalls	3 stalls
Minimum Private Open Space	30 m <sup>2</sup> per dwelling	40.48 m <sup>2</sup> per dwelling
<span style="color: red;">●</span> Indicates a variance maximum upper storey floor area to building permit from 75% (required) to 80.5% (proposed).		

## 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.

**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.

## 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.
- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Provide the City of Kelowna Bulletin #88-02 (Secondary Suites Requirements in a single family dwelling) for minimum requirements. The drawings submitted for Building Permit application is to indicate the method of fire separation between the suite and the garage
- Range hood above the stove and the washroom to vent separately to the exterior of the building. The size of the penetration for this duct thru a fire separation is restricted by BCBC 12, so provide size of ducts and fire separation details at time of Building Permit Applications.

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

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

- A fire rated exit stairwell is required from the suite to the exterior c/w fire rated doors that open into the stairwell and a fire rating on the bottom of the stairs. Please provide these details on the building permit drawing sets.
- 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 March 1, 2016

#### 6.3 Fire Department

- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide 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.
- All units shall have a posted address on Lake Ave. for emergency response
- Do not release BP until all life safety concerns are completed.

#### 6.4 FortisBC Electric

There are primary distribution facilities along Lake Avenue and within the lane adjacent the subject's north property line. There appears to be existing infrastructure on the property that should be protected by appropriate land rights in order to ensure proper delivery and maintenance of the service. 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.

#### 6.5 FortisBC Gas

Please be advised FortisBC Gas has reviewed the above mentioned referral and the gas service line will be impacted, therefore, it will need to be altered and/or abandoned and renewed to support this proposal.

### 7.0 Application Chronology

Date of Application Received: January 7, 2016  
Date Public Consultation Completed: April 5, 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:**

Schedule "A" dated March 1, 2016

Site Plan and Landscape Plan

Floor Plans

Conceptual Elevations

Context/Site Photos