

# REPORT TO COUNCIL



**Date:** March 2<sup>nd</sup>, 2020

**To:** Council

**From:** City Manager

**Department:** Development Planning (TC)

**Application:** Z19-0141

**Owner:** Nicole Gosselin

**Address:** 368 Uplands Drive

**Applicant:** Nicole Gosselin

**Subject:** Rezoning Application

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

**Existing Zone:** RR2 – Rural Residential 2

**Proposed Zone:** RR2c – Rural Residential 2 with Carriage House

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## 1.0 Recommendation

THAT Rezoning Application No. Z19-0141 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 2, Section 23, Township 28, SDYD, Plan 42738, located at 368 Uplands Drive, Kelowna, BC from RR2 – Rural Residential 2 zone to the RR2c – Rural Residential 2 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 Development Planning Department dated March 2<sup>nd</sup>, 2020.

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

## 2.0 Purpose

To rezone the subject property from RR2 – Rural Residential 2 to RR2C – Rural Residential 2 with Carriage House.

## 3.0 Development Planning

Development Planning staff support the proposed rezoning from RR2 – Rural Residential 2 zone to RR2C – Rural Residential 2 with Carriage House. The subject property is within the Permanent Growth Boundary, is

serviced (ie. sewer) and the plans align with the Official Community Plan (OCP) Future Land Use Designation of S2RES – Single/Two Unit Residential. Rezoning the subject property to add the ‘c’ designation would meet policy objectives including fostering a mix of housing forms and concentrating growth within the Permanent Growth Boundary.

**4.0 Proposal**

**4.1 Background**

Previous owners of the subject property applied for a Building Permit to construct a three-car garage and storage room in 1986. A bylaw investigation was conducted in March 2012, which showed that the southern portion of the garage had been converted into a suite. The suite was subsequently decommissioned in April 2012. Since the investigation and decommissioning, the subject property has a new owner who is seeking the proper approvals to allow for a carriage house within the existing building.

**4.2 Project Description**

The proposed rezoning from RR2 to RR2C is to allow for a carriage house within an existing building. The proposed suite is on the second floor above a three-car garage and it is 85.7m<sup>2</sup> (922 sq. ft.) in size. The proposed carriage house is located on the south portion of the property towards Uplands Drive. Due to the elevation change and existing vegetation the buildings are minimally visible from the road.

Development Planning staff are currently tracking a Development Variance Permit Application to the building height as the proposed carriage house is taller than the primary house as measured from the midpoint when the slope is considered.

**4.3 Site Context**

The subject property is in the Southwest Mission OCP Sector and the surrounding area is primarily zoned RR2 – Rural Residential 2, RR3 – Rural Residential 3 and RU1 – Large Lot Housing. The surrounding area also has a Future Land Use Designation of S2RES – Single/Two Unit Residential.

Specifically, adjacent land uses are as follows:

<b>Orientation</b>	<b>Zoning</b>	<b>Land Use</b>
North	RR3 – Rural Residential 3	Single Family Dwelling
East	RR2 – Rural Residential 2 & RR3 – Rural Residential 3	Single Family Dwelling
South	RR2 – Rural Residential 2 & RU1 – Large Lot Housing	Single Family Dwelling
West	RR2 – Rural Residential 2	Single Family Dwelling

**Subject Property Map: 368 Uplands Drive**



**5.0 Current Development Policies**

**5.1 Kelowna Official Community Plan (OCP)**

**Chapter 1: Introduction**

*Goals for a Sustainable Future:*

Contain Urban Growth – Reduce greenfield urban sprawl and focus growth in compact, connected and mixed-use (residential and commercial) urban and village centres.

**Chapter 5: Development Process**

*Objective 5.3 Focus development to designated growth areas*

*Policy .1 Permanent Growth Boundary.* Establish a Permanent Growth Boundary as identified on Map 4.1 and Map 5.2. The City of Kelowna will support development of properties outside the PGB for more intensive use only to the extent permitted as per the OCP Future Land Use designations in place as of initial adoption of OCP Bylaw 10500, except for Agri-Business designated sites or as per Council’s specific amendment of this policy. The PGB may be reviewed as part of the next major OCP update.

**6.0 Technical Comments**

6.1 Development Engineering Department

6.1.1 See attached memo dated January 13<sup>th</sup>, 2020.

**7.0 Application Chronology**

Date of Application Received: December 13<sup>th</sup>, 2019

Date Public Consultation Completed: February 6<sup>th</sup>, 2020

**Report prepared by:** Tyler Caswell, Planner I

**Reviewed by:** Wesley Miles, Acting Community Planning & Development Manager

**Approved for Inclusion:** Terry Barton, Development Planning Department Manager

**Attachments:**

Schedule A: Development Engineering Memo

Attachment A: Drawing Package