

REPORT TO COUNCIL



Date: February 1, 2021

To: Council

From: City Manager

Department: Development Planning Department

Application: Z20-0099 **Owner:** Terry Orlan & Karen Shalom Peters

Address: 395 Fleming Road **Applicant:** Birte Decloux - Urban Options Planning & Permits

Subject: Rezoning Application

Existing OCP Designation: MRL – Multiple Unit Residential (Low Density)

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

1.0 Recommendation

THAT Rezoning Application No. Z20-0099 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot A Section 27 Township 26 ODYD Plan 26972, located at 395 Fleming 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 Council, in accordance with Local Government Act s. 464 (2), waive the Public Hearing for the Rezoning Bylaw;

AND FURTHER THAT final adoption of the Rezoning Bylaw be considered subsequent to the approval of the Ministry of Transportation and Infrastructure.

2.0 Purpose

To rezone the subject property from the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone, and to waive the Public Hearing.

3.0 Development Planning

Development Planning Staff support the proposed rezoning application to RU1c to facilitate the development of a carriage house. The Official Community Plan (OCP) Future Land Use Designation of the subject property and neighbouring properties is MRL – Multiple Unit Residential (Low Density). The purpose

of MRL is low density, multi-family housing such as townhouses or garden apartments. This application is considered a minor rezoning, which does not depart from the overarching RU₁ zone. On this basis, the application is seen to be consistent with the OCP. The application meets several OCP policies including sensitive infill and compact urban form. The property is connected to City sanitary sewer and is within the Permanent Growth Boundary.

4.0 Proposal

4.1 Project Description

The proposed rezoning from RU₁ to RU_{1c} is to facilitate the development of a new carriage house. The applicant has submitted conceptual drawings showing the carriage house on the property. The proposed carriage house will be located in the rear of the property and accessed through a 3.6m drive aisle on the north side of the property. The proposal indicates that the carriage house can be constructed to meet all Zoning Bylaw Regulations without any variances. The subject property is near parks, schools, and nearby transit on Leathead Rd and Hwy 33 W making this a suitable location for increased density.

4.2 Site Context

The subject property is in the Rutland OCP Sector and the surrounding area is primarily zoned RU₁ – Large Lot Housing, RU_{1c} – Large Lot Housing with Carriage House, RU₆ – Two Dwelling Housing and RM₃ – Low Density Housing. The surrounding area has a Future Land Use Designation of MRL – Multiple Unit Residential (Low Density) and MRM – Multiple Unit Residential (Medium Density).

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU ₁ – Large Lot Housing	Single-Family Dwelling
East	RU ₁ – Large Lot Housing & RM ₃ – Low Density Multiple Housing	Single-Family Dwelling and Row Houses
South	RU ₁ – Large Lot Housing	Single-Family Dwelling
West	RU ₁ – Large Lot Housing & RU _{1c} – Large Lot Housing with Carriage House	Single-Family Dwellings and Carriage House

Subject Property Map: 395 Fleming Road



5.0 Current Development Policies

5.1 Kelowna Official Community Plan (OCP)

Chapter 5: Development Process

Objective 5.3 Focus development to designated growth areas

Policy .2 Compact Urban Form. 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

Objective 5.22 Ensure context sensitive housing development

Policy .6 Sensitive Infill. 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.

Policy .12 Carriage Houses & Accessory Apartments. Support carriage houses and accessory apartments through appropriate zoning regulations.

6.0 Application Chronology

Date of Application Received: December 1st, 2020
Date Public Consultation Completed: December 9th, 2020

Report prepared by: Tyler Caswell, Planner I

Reviewed by: Jocelyn Black, Urban Planning Manager

Approved for Inclusion: Terry Barton, Development Planning Department Manager

Attachments:

Attachment A: Conceptual Drawing Package