

REPORT TO COUNCIL



Date: August 9, 2021
To: Council
From: City Manager
Department: Development Planning
Application: TA21-0009 **Owner:** N/A
Address: N/A **Applicant:** City of Kelowna
Subject: Text Amendment Application

1.0 Recommendation

THAT Zoning Bylaw Text Amendment Application No. TA21-0009 to amend City of Kelowna Zoning Bylaw No. 8000 as outlined in Schedule "A" attached to the Report from the Development Planning Department dated August 9, 2021 be considered by Council;

AND THAT the Zoning Bylaw Text Amending Bylaw be forwarded to a Public Hearing for further consideration;

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

2.0 Purpose

To amend the Zoning Bylaw to allow carriage houses as a permitted secondary use on RU1 and RU2 lots that have a sanitary sewer connection within the Urban Core, as defined by Map 5.1 in the Kelowna 2030 - Official Community Plan.

3.0 Development Planning

On March 15, 2021 Development Planning presented an Urban Infill Updates Report to Council. One of these proposed changes was the deregulation of carriage houses in the Urban Core area of the City. Carriage houses offer diversity in the infill housing stock and can be designed to fit in well with the existing context of a neighbourhood without negative impacts. Currently, a rezoning application is required for carriage house development and the deregulation will make it easier and more affordable for landowners to pursue a carriage house development on serviced RU1 and RU2 zoned lots that are located within the Urban Core. There are approximately 5,655 RU1 and RU2 zoned properties within the Urban Core with sewer connections

that would be eligible to take advantage of this deregulation, with the majority located in the Rutland and Central City areas.

The City of Kelowna started tracking building permit data for carriage houses in 2002. Since then, 509 building permits have been issued for this purpose City-wide. This is an average of 25 per year, however there is significant variation between years. This year, 2021, although not complete, has the lowest number of applications with nine (issued building permits) so far. 2007 saw the highest number of approved building permits, with 47 total. Since 2016, the number of new carriage homes being built has declined, despite the removal of a development permit requirement around that time. Carriage homes represent a desirable form of infill with generally few negative externalities. Now, in the Urban Core, on serviced RU1 and RU2 lots, carriage house applications rarely receive recommendations of non-support by Staff and/or are denied.

The request to rezone to a carriage house subzone within the Urban Core supports key direction in the Healthy Housing Strategy to promote and protect rental housing, improve housing affordability and build the right supply. Further, Kelowna's Climate Action Plan highlights the need to create compact and complete communities as a way to manage energy and emissions. An increase of carriage houses in the Urban Core helps to achieve this as it allows more residents and workers to be located closer to transit and services, reducing vehicle dependency.

No other Zoning Bylaw regulations relating to carriage houses are proposed to change as part of this amendment. This proposed amendment would see the RU1 – Large Lot Housing and RU2 – Medium Lot Housing zones mirror RU6 – Two Dwelling Housing zoned properties, where carriage houses are currently a permitted secondary use with no rezoning application required. Should a variance to an existing Zoning Bylaw regulation be requested for the construction of a carriage house, such as to height or setbacks, this request would still need to come to Council for consideration. Rezoning applications would still generally be a requirement for properties located outside of the Urban Core Area, unless they are already zoned to allow for a carriage house.

It is the opinion of staff that the proposed Text Amendment for the deregulation of carriage houses on RU1 and RU2 lots that have a sanitary sewer connection within the Urban Core is supported by City policies and would result in overall time and cost savings for Staff, Council and applicants.

4.0 Proposal

4.1 Background

Council endorsed the Healthy Housing Strategy on June 25, 2018, with one of the strategy's key directions being to "build the right supply". While progress has been made in championing this direction, such as the implementation of the RU7- Infill zone, there are remaining zoning bylaw amendments that should be actioned to support the overarching goal of achieving a greater variety of infill housing forms. Appendix F: Build the Right Supply of the Healthy Housing Strategy provides "action details" that identify potential zoning bylaw amendments that will aide in expanding the permissiveness of existing infill housing forms. The forthcoming bylaw amendments are aligned with the action details.

Staff are working on a new comprehensive zoning bylaw update however that project will be in development through the coming year. It is anticipated to come forth for Council consideration in coordination with the new OCP 2040. Staff feel there is good merits in bringing forth the proposed zoning regulations changes now in order for this year's development cycle to benefit from the changes and help implement the City's objectives.

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

Residential Land Use Policies

Objective 5.22 Ensure context sensitive housing development

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

5.2 Healthy Housing Strategy

Chapter 3: Key Directions and Recommended Actions

Objective 3.3: Build the Right Supply

Direction: Support a greater variety of infill housing forms *Action:* Increase permissiveness for townhouses, duplexes, carriage homes, small housing, house-plexes and tiny homes.

Direction: Create more sensitive infill of lots in existing neighbourhoods *Action:* Complete a review of residential zones in the Zoning Bylaw to determine if regulations can be amended to encourage infill housing.

Direction: Encourage universal and accessible *Action:* design City of Kelowna to develop policies in the OCP2040 to encourage housing units to incorporate universal and accessible design, which supports aging in place and people with diverse abilities. Interior Health to provide an opportunity for home health staff to share housing related needs of clients and explore opportunities to support universal and adaptable housing design

^^because its "adaptable housing" allows people to age in place

Appendix F: Building the right supply

Action details: Allow carriage houses as a permitted use in the RU1 – Large Lot Housing and RU2 – Medium Lot Housing zones.

5.3 Community for All: Kelownas All Age's and Abilities Action Plan

Recommendations: Healthy Housing

Objective: Build on City policies that address housing needs *Action:* Support the development of diverse housing types to meet the variety of housing needs in the community

5.4 Our Kelowna as We Take Action: Kelowna's Community Climate Action Plan

Planning Our Community: Recommended Land Use Actions

Action #: LU6 Action: For the 2040 OCP update, re-evaluate a more compact growth strategy that prioritizes development in the Urban Core and dis-incentivizes development in the fringe.

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Reviewed by: Jocelyn Black, Urban Planning Manager
Reviewed by: Terry Barton, Development Planning Department Manager
Approved for Inclusion: Ryan Smith, Divisional Director, Planning & Development Services

Attachments:

Schedule A: Proposed Text Amendment TA21-0009