

# REPORT TO COUNCIL



**Date:** November 21, 2022

**To:** Council

**From:** City Manager

**Department:** Development Planning Department

**Application:** Z22-0052      **Owner:** George & Diane Kamoschinski

**Address:** 5428 Tanager Court      **Applicant:** Diane Kamoschinski

**Subject:** Rezoning Application

**Existing OCP Designation:** S-RES – Suburban – 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. Z22-0052 to amend the City of Kelowna Zoning Bylaw No. 12375 by changing the zoning classification of Lot 13 Section 23 Township 28 SDYD Plan 35953, located at 5428 Tanager Court, 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 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 the RU1 – Large Lot Housing zone to the RU1c – Large Lot Housing with Carriage House zone to facilitate the conversion of an accessory building to a carriage house.

## 3.0 Development Planning

Staff support the proposed rezoning application to RU1c – Large Lot Housing with Carriage House to facilitate the conversion of an existing accessory building to a carriage house. The proposal meets the intent of the Official Community Plan (OCP) and the Future Land Use Designation of S-RES – Suburban Residential, which speaks to the accommodation of single and two dwelling growth, with opportunities for carriage houses in the Suburban Neighbourhoods. The property is connected to City sanitary sewer and is within the Permanent Growth Boundary.

**4.0 Proposal**

**4.1 Background**

A Building Permit (BP) was received on January 27, 2021 for the accessory building which is currently undergoing construction. A Building Permit is valid for a period of 6 months; construction of this building did not begin during this time and an extension was requested. The extension was granted on July 9, 2021 for an additional 6 months.

During this period, the applicants decided to convert the accessory building to a carriage house. This decision has resulted in the current BP being placed on hold. The applicant has now applied for a Rezoning application along with a Development Variance Permit application. These were applied for on August 31, 2022. Should Council support both the rezoning and variance applications, the current building permit will be cancelled and a new building permit for the carriage house will be required.

**4.2 Project Description**

The proposed rezoning from RU1 – Large Lot Housing to the RU1c – Large Lot Housing with Carriage House zone is to facilitate the conversion of an existing accessory building to a carriage house. The subject property has a Future Land Use Designation of S-RES – Suburban Residential and is within the City’s Permanent Growth Boundary. As such, the proposed zone is consistent with the Official Community Plan’s (OCP) objectives. To finalize the rezoning, a Development Variance Permit is required to vary the net floor area of the proposed carriage house.

**4.3 Site Context**

The subject property is located on the intersection of Tanager Court and Stellar Court. The parcel has a Future Land Use Designation of S-RES – Suburban Residential and is within the Southwest Mission OCP sector. The property is within close proximity to the Lebanon Creek Greenway Regional Park. The surrounding area consists primarily of RU1 – Large Lot Housing and RR2 – Small Lot Rural Residential.

Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR2 – Small Lot Rural Residential	Single Detached Housing
East	RU1 – Large Lot Housing	Single Detached Housing
South	RU1 – Large Lot Housing	Single Detached Housing
West	RU1 – Large Lot Housing	Single Detached Housing

**Subject Property Map: 5428 Tanager Court**



5.1 Kelowna Official Community Plan (OCP)

<b>Objective 7.2 Design Suburban Neighbourhoods to be low impact, context sensitive, and adaptable</b>	
Policy 7.2.1 Ground Oriented Housing	<p>Ground Oriented Housing. Consider a range of low-density ground-oriented housing development to improve housing diversity and affordability and to reduce the overall urban footprint of Suburban Neighbourhoods. Focus more intensive ground-oriented housing where it is in close proximity to small scale commercial services, amenities like schools and parks, existing transit service and/or active transportation facilities</p> <p><i>The proposed carriage home reflects the character of the existing principal dwelling and is sensitive to the neighbourhood with respect to building design, height, and siting. The S-RES future land use designation supports single and two dwelling housing, with opportunities for secondary suites and carriage houses. A carriage home is a form of residential infill that allows for the modest intensification in an existing neighbourhood.</i></p>

6.o **Application Chronology**

Date of Application Accepted: August 31, 2022

Date Public Consultation Completed: September 7, 2022 and October 11, 2022

**Report prepared by:** Sara Skabowski, Planner I**Reviewed by:** Lydia Korolchuk, Urban Planning Manager**Reviewed by:** Terry Barton, Development Planning Department Manager**Approved for Inclusion:** Ryan Smith, Divisional Director, Planning & Development Services**Attachments:**

Attachment A: Development Drawings

Attachment B: Applicant Rationale