

# REPORT TO COUNCIL



**Date:** February 20, 2017

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z16-0029      **Owner:** Richard Mercier  
Tracey Gronick

**Address:** 403 Viewcrest Road      **Applicant:** Richard Mercier

**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. Z16-0029 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 16 Plan 18995 Section 23 Township 28, located at 403 Viewcrest Road Kelowna, BC from the RR2 – Rural Residential 2 zone to the RR2c – Rural Residential 2 with Carriage House zone to 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 February 20, 2017.

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 to RR2c – Rural Residential 2 with Carriage House zone to facilitate a carriage house.

## 3.0 Community Planning

Community Planning supports the rezoning application to permit a carriage house in an existing accessory building on the subject property. The conversion to a carriage house in this location does not impact

adjacent neighbours as views are not directed to adjacent private open space of neighbouring properties. The streetscape remains unchanged as no proposed renovations are proposed to the exterior of the accessory building.

The parcel is within the Permanent Growth Boundary, has a future land use of S2RES-Single/Two Unit Residential and meets all regulations within the RR2c zone.

City of Kelowna follows the Okanagan Basin Water Board policy which states that no parcel under 1.0 Hectare should be considered for additional dwellings if the parcel is not connected to a municipal sewer service. A condition of this rezoning requires the parcel to connect to the existing City sewer, as such this application aligns with both policies.

#### **4.0 Proposal**

##### **4.1 Background**

The 0.7-acre property contains one single family dwelling and an outdoor pool constructed in the 1970s. A detached accessory building was constructed in 1996, this building shown on the right on Image 1 below is the building proposed as a carriage house. Vehicle access exists along the fronting road due to topography as the parcel is steeply sloped. A City sanitary main services this neighbourhood which runs along the rear lane of the parcel. This parcel is not connected to this sanitary main as it is being serviced by an on-site septic system which was constructed for the existing single family dwelling.

The City of Kelowna adheres to the Okanagan Basin Water Board policy of not allowing additional dwellings (in the form of single family or carriage house forms) on parcels under 1.0 Ha/2.5 Ac that are not connected to municipal sanitary system. This policy was created for these smaller lots as on-site septic systems have shown failure when the demands of the system are increased by way of additional dwellings.

**Image 1: Street View 403 Viewcrest Road**



##### **4.2 Project Description**

The conversion of the detached accessory building would include retaining the main floor as vehicle parking, and renovating the upper floor to the secondary suite. The exterior of the building, including siting, height and exterior finish of the structure remains unchanged in the proposed conversion.

Parking and private open space for both dwellings is accommodated on the subject parcel.

A requirement of this rezoning application includes connecting both dwellings to the City sanitary service that exist along the rear lane.

Should this rezoning application be supported by Council, two variances would be considered as part of the change of use:

- Carriage house in a front yard: The existing accessory building is located in the front yard, between the front property line and the principle dwelling. This is contrary to Zoning Bylaw No. 8000, Section 9.5b.1.c. Carriage House Regulations which states that the principle dwelling must be located between the front yard and carriage house.
- Front yard setback: The existing accessory structure is sited approx. 4.0 m from the front property line, Zoning Bylaw No. 8000, Section 12.2.6.c Rural Residential 2 Regulations require a 6.0 m setback from the front property line. A survey plan will need to be completed to identify the exact distance.

#### 4.3 Site Context

The subject property is located within the Okanagan Mission Sector of the City on the south side of Viewcrest Road at its intersection with Edgemont Court. The subject parcel and adjacent parcels have a Future Land Use designation of S2RES - Single / Two Unit Residential.

Adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RR2 – Rural Residential 2	Residential
East	RR2 – Rural Residential 2	Residential
South	A1 – Agriculture 1	Residential
West	RR2 – Rural Residential 2	Residential

**Map 1: Neighbourhood Context**



**Map 2: Subject Property**



#### 4.4 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RR2c ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	10,000 m <sup>2</sup>	2833 m <sup>2</sup> (0.7 ac)
Lot Width	36 m	m
Lot Depth	30 m	m
Development Regulations		
Maximum Site Coverage (Total)	20% / 566.6 m <sup>2</sup>	7% / 210 m <sup>2</sup>
Carriage House Regulations		
Site coverage for accessory structures	14%	2%
Max. Height (mid-point of roof)	4.8 m	4.5 m
Siting	Principle dwelling is to be located between the front yard and carriage house	Carriage house is located in the front yard ❶
Min. Front Yard Setback (to Viewcrest Road)	6.0 m	3.2 m ❷
Min. Sideyard Setback (to east)	3.0 m	3.01 m
Maximum floor area of carriage house	90 m <sup>2</sup> or 75% of the principal building	56.1 m <sup>2</sup>
Minimum distance to principal building	3 m	11 m
Other Regulations		
Minimum Parking Requirements	1.0 space for carriage house plus 2.0 spaces per single detached house	
Private Open Space	30 m <sup>2</sup> each dwelling	+ 30 m <sup>2</sup> each dwelling
❶ Indicates a requested variance to Zoning Bylaw No. 8000, Section 9. 5b.1.c Carriage House Regulations ❷ Indicates a requested variance to Zoning Bylaw No. 8000, Section 12.2.6.c		

### 5.0 Current Development Policies

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

##### Development Process

**Sensitive Infill.**<sup>1</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.

Staff Note: The proposed conversion does not alter the existing streetscape.

**Carriage Houses and Accessory Apartments.**<sup>2</sup> Support carriage houses and accessory apartments through appropriate zoning regulations.

Staff Note: There are two variances triggered by the proposed change in use.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.12 (Development Process Chapter).

## **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 Permit(s)

Full Plan check for Building Code related issues will be done at time of Building Permit applications.

### **6.2 Development Engineering Department**

Condition of the Rezoning application includes decommissioning existing on-site septic field, and connection to City sanitary main along rear lane.

A 4.5 m Right of Way is to be registered on the subject parcel for an existing municipal storm drainage main located along the south west property line.

Refer to attached memorandum dated June 23, 2016 for detailed information.

## **7.0 Application Chronology**

Date of Application Received:	May 18, 2016
Additional Information Received:	June 7, 2016
Additional Information Received:	November 4, 2016
Date Public Consultation Completed:	January 26, 2016

**Report prepared by:** Tracey Hillis, Planner

**Reviewed by:** Todd Cashin, Subdivision, Suburban and Rural Planning Manager

**Reviewed by** Ryan Smith, Community Planning Department Manager

**Approved for Inclusion:** Doug Gilchrist, Divisional Director, Community Planning & Real Estate

### **Attachments:**

Schedule "A":	Development Engineering Memorandum
Attachment "A":	Carriage House Plans
Attachment "B":	Carriage House Site Photos