

# REPORT TO COUNCIL



**Date:** August 28, 2017

**RIM No.** 1250-30

**To:** City Manager

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

**Application:** Z17-0054

**Owner:** Randall Schmidt &  
Josephine Pirolli

**Address:** 4610 Darin Place

**Applicant:** Randall Schmidt

**Subject:** Rezoning Application

Existing OCP Designation: S2RES – Single/ Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

---

## 1.0 Recommendation

THAT Rezoning Application No. Z17-0054 to amend the City of Kelowna Zoning Bylaw No. 8000 by changing the zoning classification of Lot 5 District Lot 357 ODYD Plan KAP57058, located at 4610 Darin Place, 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 the Rezoning Bylaw be forwarded to a Public Hearing for further consideration;

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 RU1 – Large Lot Housing to RU1c – large Lot Housing with Carriage House to facilitate the conversion of an existing accessory building to a carriage house.

## 3.0 Community Planning

Community Planning Staff support the proposed rezoning to facilitate the conversion of the existing two-storey accessory building to a carriage house on the subject property. The property is located within the Permanent Growth Boundary in the North Mission/ Crawford sector of the City. The parcel is designated as S2RES – Single/Two Unit Residential in the Official Community Plan (OCP). Rezoning the subject property to add the 'c' designation would meet several City policy objectives including fostering a mix of housing forms and concentrating growth within the Permanent Growth Boundary. The increase in density is

supported by local amenities such as parks, schools, transit and recreational opportunities on the immediate area. The proposed rezoning is also consistent with the property's future land use designation and there are a number of properties in the area that are currently zoned as RU1c or RU6 – Two Dwelling Housing.

In accordance with Council Policy No. 367, the applicant submitted a Neighbour Consultation Form outlining that the neighbours within 50m of the subject property were notified of the proposed rezoning application.

#### 4.0 Proposal

##### 4.1 Project Description

The proposal is to rezone the parcel from the RU1 – Large Lot Housing zone to the RU1c - Large Lot Housing with Carriage House zone. The applicant is proposing to convert the existing garage with loft space to a two-storey 1-bedroom carriage house. The accessory building was constructed in 1997 and under the current zoning regulations would require two variances for the existing side and rear yard setbacks. At time of construction, the building met zoning regulations for siting. Should Council support the Rezoning, a Development Variance Permit Application would come before Council to consider the side and rear yard setback variances.

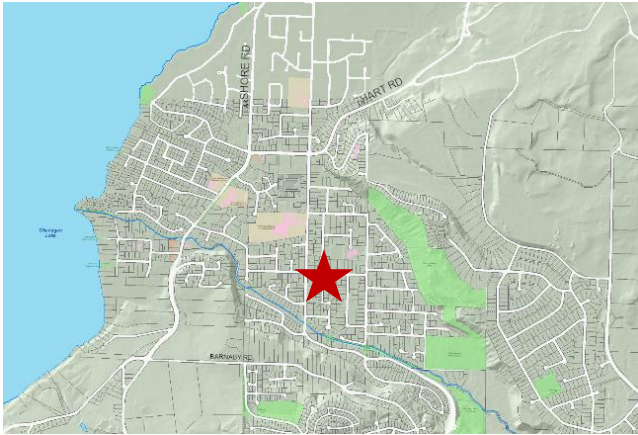


##### 4.2 Site Context

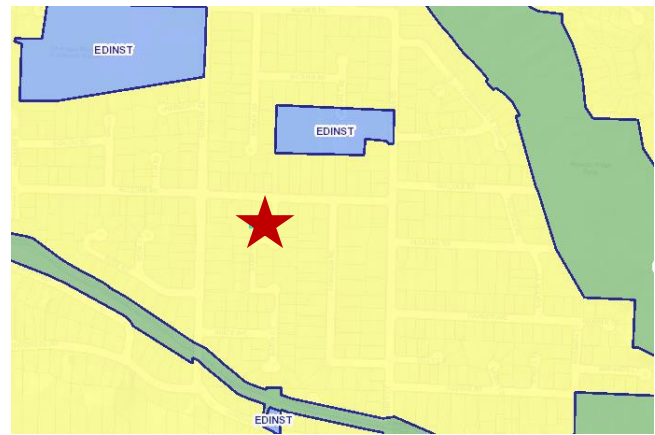
Specifically, adjacent land uses are as follows:

Orientation	Zoning	Land Use
North	RU1 – Large Lot Housing	Single Family Dwelling
East	RU1 – Large Lot Housing	Single Family Dwelling
South	RU1 – Large Lot Housing	Single Family Dwelling
West	RU1c – Large Lot Housing with Carriage House	Single Family Dwelling & Carriage House

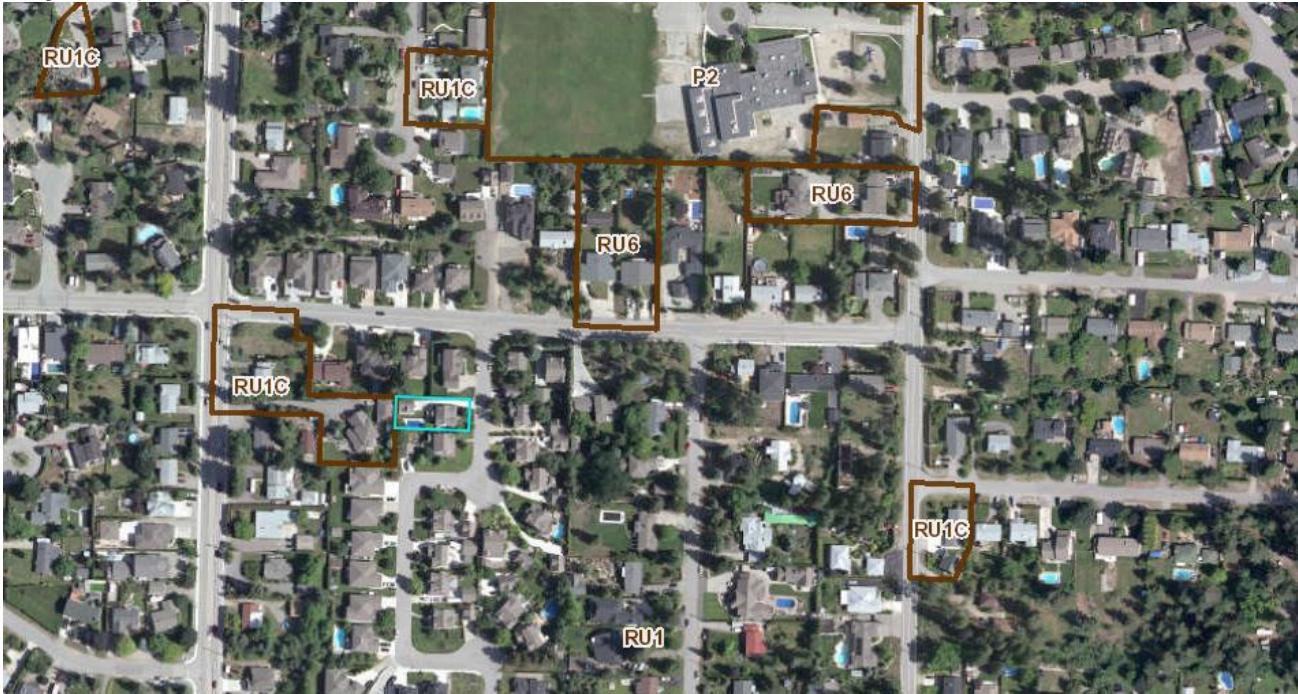
Context Map:



Future Land Use Map:



Subject Property Map: 4610 Darin Place



#### 4.3 Zoning Analysis Table

Zoning Analysis Table		
CRITERIA	RU1c ZONE REQUIREMENTS	PROPOSAL
Existing Lot/Subdivision Regulations		
Lot Area	550 m <sup>2</sup>	787 m <sup>2</sup>
Lot Width	16.5 m	18.3 m
Lot Depth	30 m	43 m
Development Regulations		
Max. Site Coverage (Buildings)	40%	21%
Max. Site Coverage (Buildings & driveway & parking)	50%	40%

Carriage House Regulations		
Max. Accessory Site Coverage	14%	7%
Max. Accessory Building Footprint	90 m <sup>2</sup>	58.76 m <sup>2</sup>
Max. Net Floor Area	90 m <sup>2</sup>	38.65 m <sup>2</sup>
Max. Net Floor Area to Principal Building	75%	16%
Maximum Height (mid-point)	4.8 m	4.06 m
Maximum Height (to peak)	8.2 m	6.4m
Side Yard (north)	2.0 m	1.06 m <sup>①</sup>
Side Yard (south)	2.0 m	9.0 m
Rear Yard	2.0 m	1.47 m <sup>②</sup>
Min. Distance to Principal Building	3.0 m	13 m
Other Regulations		
Minimum Parking Requirements	3 stalls	3 stalls
Min. Private Open Space	30 m <sup>2</sup>	+30 m <sup>2</sup>
① Indicates a variance to the side yard setback from 2.0 m required to 1.06 m proposed.		
② Indicates a variance to the rear yard setback from 2.0 m required to 1.47 m proposed.		

## 5.0 Current Development Policies

### 5.1 Kelowna Official Community Plan (OCP)

#### Development Process

**Compact Urban Form.**<sup>1</sup> 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.

**Sensitive Infill.**<sup>2</sup> Encourage new development or redevelopment in existing residential areas to be sensitive to or reflect the character of the neighborhood with respect to building design, height and siting.

**Healthy Communities.**<sup>3</sup> Through current zoning regulations and development processes, foster healthy, inclusive communities and a diverse mix of housing forms, consistent with the appearance of the surrounding neighbourhood.

**Carriage Houses & Accessory Apartments.**<sup>4</sup> Support carriage houses and accessory apartments through appropriate zoning regulations.

## 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 Permits.

<sup>1</sup> City of Kelowna Official Community Plan, Policy 5.2.3 (Development Process Chapter).

<sup>2</sup> City of Kelowna Official Community Plan, Policy 5.22.6 (Development Process Chapter).

<sup>3</sup> City of Kelowna Official Community Plan, Policy 5.22.7 (Development Process Chapter).

<sup>4</sup> City of Kelowna Official Community Plan, Policy 5.22.12 (Development Process Chapter).



- Operable bedroom windows required as per the 2012 edition of the British Columbia Building Code (BCBC 12).
- Refer to attached City of Kelowna Bulletin #12-03 (Secondary Suites Requirements in a single family dwelling) for minimum requirements. The drawings submitted for Building Permit application is to indicate the method of fire separation between the suite and the garage
- A fire rated exit stairwell is required from the suite to the exterior c/w fire rated doors that open into the stairwell and a fire rating on the bottom of the stairs. Please provide these details on the building permit drawing sets.
- Full Plan check for Building Code related issues will be done at time of Building Permit applications.

6.2 Development Engineering Department

- Refer to Attachment A.

6.3 Fire Department

- No issues with zoning.
- Requirements of section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met.
- All units shall have a posted address on Darin Pl.

6.4 FortisBC - Electric

- There are FortisBC Inc (Electric) ("FBC(E)") primary distribution facilities along Darin Place. The applicant is responsible for costs associated with any change to the subject property's existing service, if any, as well as the provision of appropriate land rights where required.
- For more information, please refer to FBC(E)'s overhead and underground design requirements:
  1. FortisBC Overhead Design Requirements: <http://fortisbc.com/ServiceMeterGuide>
  2. FortisBC Underground Design Specification: <http://www.fortisbc.com/InstallGuide>
- Otherwise, FBC(E) has no concerns with this circulation.
- In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). Please have the following information available in order for FBC(E) to set up the file when you call:
  1. Electrician's Name and Phone number
  2. FortisBC Total Connected Load Form
  3. Other technical information relative to electrical servicing
- It should be noted that additional land rights issues may arise from the design process but can be dealt with at that time, prior to construction.

## **7.0 Application Chronology**

Date of Application Received: June 15, 2017

Date Public Consultation Completed: May 10, 2017

**Report prepared by:** Lydia Korolchuk, Planner

**Reviewed by:** Terry Barton, Urban Planning Manager

**Approved for Inclusion by:** Ryan Smith, Community Planning Department Manager

### **Attachments:**

Attachment A: Development Engineering Memorandum

Attachment B: Site Plan & Floor Plans

Attachment C: Elevations & Site Photos