



COUNCIL REPORT

To: Paul Gipps, CAO

Date: December 13, 2022

From: Yvonne Mitchell, Planner II

File No: Z 22-11

Subject: **Z 22-11; Zoning Bylaw Amendment No. 0265.10 (First and Second Reading); 3575 Elliott Road**

RECOMMENDATION

THAT Council consider and resolve to give first and second reading to City of West Kelowna Zoning Amendment Bylaw No. 0265.10, 2022; and

THAT Council consider and resolve to direct staff to schedule a Public Hearing regarding the proposed zoning amendment.

STRATEGIC AREA(S) OF FOCUS

Economic Development and Prosperity - We will work with our partners on the Westside and throughout the region to advocate for and support efforts aimed at helping West Kelowna businesses prosper. With a focus on the future, we will advance opportunities to expand our economy, increase employment, and develop the community in ways that contribute towards prosperity for all.

BACKGROUND

The subject property is currently developed with a single detached dwelling with a one-bedroom secondary suite and an unauthorized one-bedroom carriage house. The property is adjacent to a duplex on either side and a single family dwelling in the rear. The need for this application was raised as part of a request to legalize the carriage house, which was denied due to the existing secondary suite.

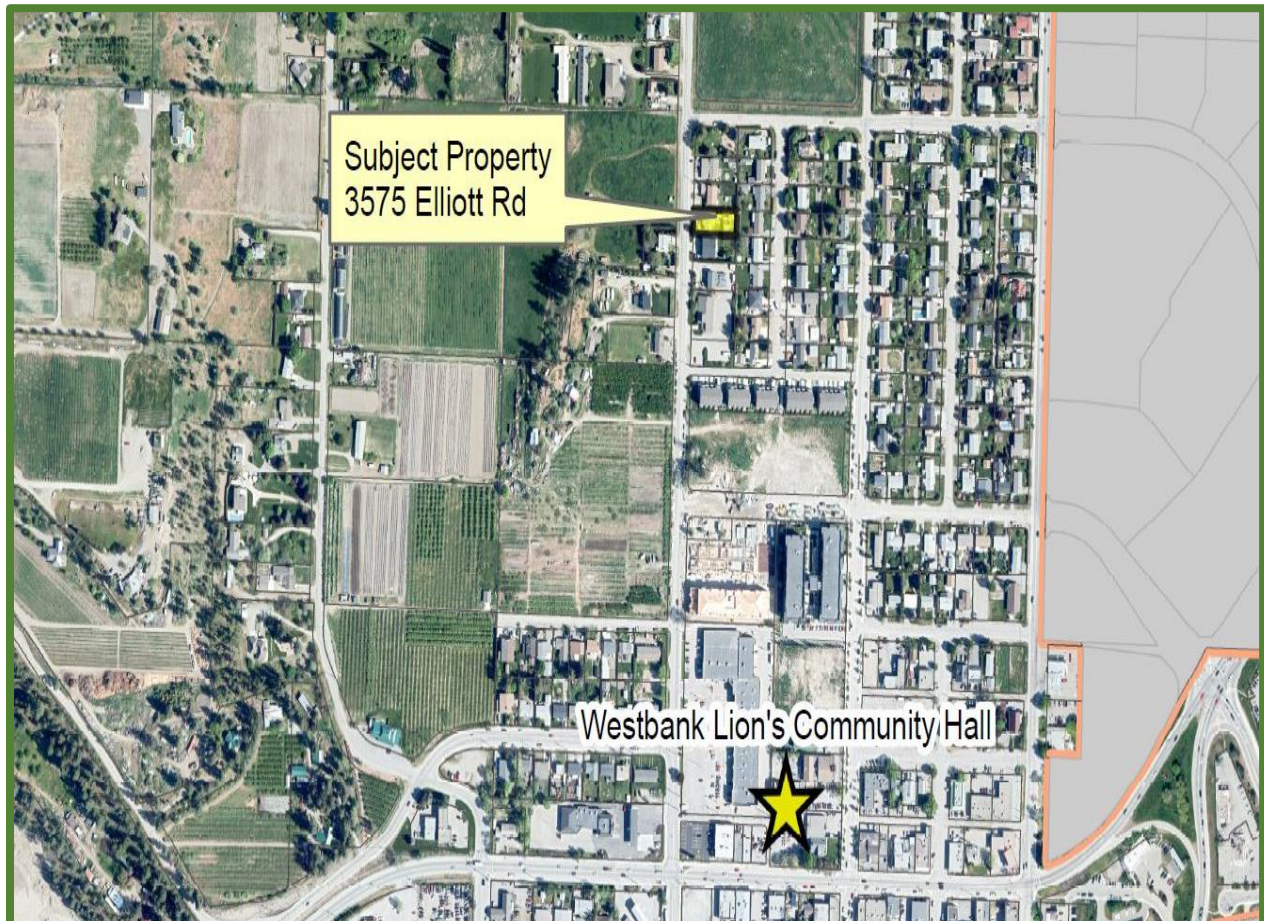
PROPERTY DETAILS			
Address	3575 Elliott Road		
PID	004-645-791		
Folio	36412643.570		
Lot Size	1011.72 m2		
Owner	Victoria Miles-Turner and John Jacob Turner	Agent	N/A
Current Zoning	Westbank Centre Compact Residential Zone (RC1)	Proposed Zoning	Site Specific Text Amendment

Current OCP	Westbank Centre Low Density Residential	Proposed OCP	N/A
Current Use	Single Detached with Secondary Suite	Proposed Use	Single Detached, Secondary Suite, and Carriage House
Development Permit Areas	N/A		
Hazards	N/A		
Agricultural Land Reserve	No		

ADJACENT ZONING & LAND USES

North	^	Westbank Centre Compact Residential Zone (RC1)
East	>	Westbank Centre Compact Residential Zone (RC1)
West	<	Single Detached Residential Zone (R1) and Agricultural Zone (A1)
South	v	Westbank Centre Compact Residential Zone (RC1)

NEIGHBOURHOOD MAP



PROPERTY MAP



Legislative Requirements

Council has the authority under s.479 of the *Local Government Act* to amend the Zoning Bylaw.

Proposal

This application is for a site-specific text amendment to permit both a secondary suite and carriage house on the same parcel (See Attachment 1). The unauthorized carriage house is not in use, and the applicant has made this application to allow its use.

Applicant's Rationale

The applicant's rationale is summarized below and provided in full as Attachment 2.

- No major building necessary.
- Adequate space on property for parking, green space, and separate entrance ways for units.
- Adequate access and egress from units on the property.
- Surrounding lots have previously been developed for multi-family units with same lot size.
- Lack of affordable small rentals in West Kelowna.

- Lack of parking in West Kelowna, specifically on Elliott Road (proposal would not add to demand).

DISCUSSION

Policy and Bylaw Review

Official Community Plan Bylaw No. 0100

Land Use Designation

The Land Use Designation for the subject property in the Official Community Plan is Westbank Centre Low Density Residential. The Westbank Centre Low Density Residential Land Use Designation supports townhouse, single detached, carriage house, duplex and compact or clustered single-detached housing. The purpose is to provide a range of housing opportunities in Westbank Centre. The proposed site-specific text amendment is consistent with the intent of the Low Density Land Use Designation.

Official Community Plan Update

In the draft Official Community Plan (OCP) Update, the subject property has a land use designation of Low Density Residential and will no longer be within the Westbank Urban Centre as shown in Figure 1. Despite not being included within the high-density Urban Centre, it is located adjacent to it and would be suitable for higher density than what is currently permitted in the Zoning Bylaw.



Figure 1 – Draft OCP land use designations

Future Infill Strategy

As part of the current OCP update, the Growth Concept has identified supporting infill development in existing developed neighbourhoods where appropriate, primarily in the form of duplexes, carriage houses and secondary suites. Currently, zoning permits only one carriage house or one secondary suite accessory to a single detached dwelling, not both. Exploring infill opportunities and regulations to allow for additional dwelling units or different unit types on a parcel may be a future consideration to aid in housing availability, affordability, and flexibility. This will be considered as part of the future infill strategy.

Allowing both a carriage house and secondary suite on parcels zoned for single detached dwellings is an approach that has been taken by other municipalities in BC. For example, the City of Nelson allows both a carriage house and a secondary suite on the same parcel in some residential zones. In addition, the City of Langley allows both a carriage house and secondary suite on the same parcel in some residential land use designations in its Official Community Plan and is currently updating its zoning bylaw to align with the OCP.

Zoning Bylaw No. 0265

RC1 Zone

The RC1 zone permits the existing single detached dwelling, as well as duplex and townhouse uses. The subject property is larger than the minimum size in the RC1 zone.

Table 1 – RC1 zone and subject property size comparison.

	RC1 Zone	3575 Elliot Road
Minimum Parcel Area	325m ² (3,498.3ft ²)	1,011.72m ² (10,890.06ft ²)
Minimum Parcel Frontage	9.0m (29.5 ft)	20m (68 ft)

The RC1 (Westbank Centre Compact Residential) Zone has a maximum density of only 1 secondary suite or 1 carriage house per parcel.

Secondary Suite and Carriage House Regulations

As per s.3.18.9 General Regulations of the Zoning Bylaw a secondary suite is not permitted on a parcel that contains a carriage house and as per s.3.19.12 a carriage house is not permitted on a parcel that contains a secondary suite.

Parking Regulations

As per Part 4 of the Zoning Bylaw the following parking is required for the proposed uses.

- Single Detached Dwelling – 2.0 spaces per dwelling unit
- Secondary Suite – 1.0 per one bedroom dwelling
- Carriage House – 1.0 per one bedroom dwelling

For single detached dwellings, secondary suites, and carriage houses, tandem parking is permitted. The proposal complies with the parking requirements, and the applicant has provided a parking plan showing that parking available on the property exceeds the requirements (Attachment 3).

Technical Considerations

No major changes are required on the property to allow the use of the existing carriage house. A building permit will be required to finalize the conversion.

Referral Comments

The application was referred to various external agencies and internal departments. The referral comments received did not include any objections to the application.

Advisory Planning Commission (APC)

The APC considered the application on November 16, 2022, and carried the following motion:

“THAT the Advisory Planning Commission recommend support for file Z 22-11, Zoning Bylaw Amendment, 3575 Elliott Road.”

Discussion amongst the APC members included if it would be appropriate to change the Zoning Bylaw to allow both a carriage house and secondary suite on the same parcel as of right, but that this may not be appropriate as other requirements would need to be addressed for each site such as parking, and number of bedrooms.

Interior Health

The Healthy Built Environmental Linkages Toolkit is an evidence based resource which links planning principles to health outcomes. Housing plays a significant role in influencing people’s health – living in affordable, safe, and stable housing is associated with positive physical and mental health outcomes. Prioritizing a variety of diverse housing forms, including long term rental housing, can help to meet the socioeconomic and demographic needs of all community members. The proposed amendment will make additional rental spaces available in West Kelowna, all of which supports health and well-being.

Public Notification

A notification sign has been posted on the subject property in accordance with Development Application Procedures Bylaw No. 0260, 2018. No comments have been received at the time of writing this report. Should this application proceed to Public Hearing, additional notification by mail and advertisement in the local newspaper is required under the *Local Government Act*.

CONCLUSION

The proposal is consistent with the Westbank Centre Low Density Residential Land Use Designation in the OCP and aligns with the purpose of this designation which is to provide for a range of housing opportunities in Westbank Centre. The proposal is also located on the periphery of the significant densification proposed in the OCP update for Westbank Centre. The parcel size and frontage are larger than the minimum in the RC1 Zone, and can accommodate the required parking, making it suitable for an additional dwelling unit. In addition, the proposal will provide additional opportunities for a rental unit within the core area, near services, while limiting the potential impacts to surrounding properties.

Alternate Resolution:

1. **THAT** Council consider and resolve to postpone first and second reading of Zoning Amendment Bylaw No. 0265.10, 2022.

Should Council postpone consideration of the proposed amendment bylaw, further direction to staff on how to proceed is requested.

2. **THAT** Council consider and resolve to deny Zoning Amendment Bylaw No. 0265.10, 2022.

Should Council deny the proposed amendment bylaw, the applicant may not apply for a similar application for a period of six (6) months in accordance with Development Applications Procedures Bylaw No. 0260, 2018.

REVIEWED BY

Chris Oliver, Planning Supervisor

Brent Magnan, Director of Development Approvals

Corinne Boback, Manager of Legislative Services/Corporate Officer

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

Attachments:

1. Zoning Amendment Bylaw, No. 0265.10, 2022
2. Development Plans
3. Applicant's Rationale
4. Parking Plan